

CAMBORNE TOWN COUNCIL STANDING ORDERS

MEETINGS

1. (a) Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.
- (b) All mobile phones are to be switched off during Council meetings except by special permission of the Chairman of that meeting.

2. Filming and recording meetings

- (c) Whilst a meeting of the Council, its committees or sub committees is open to the public, any person, if present, may:
 - i) film, photograph or make an audio recording of a meeting;
 - ii) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
 - iii) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.
- (d) Oral reporting, commentary or broadcasting is not permitted during any part of a meeting of the Council, its Committees and Sub Committees.
- (e) An individual must be present and able to use their equipment in order to film, photograph or audio record a meeting. There will be no opportunity to report on any part of the meeting where the council has resolved to exclude the press and public.
- (f) Disruptive behaviour
 - i) No filming, photographing or audio recording of a meeting should be carried out in such a way as to disrupt the proceedings of the meeting.
 - ii) If person(s) disregard the request of the Chairman of the meeting to moderate or improve their behaviour, any Councillor or the Chairman of the meeting may move that the person be instructed to cease filming, photographing or audio recording. The motion, if seconded, shall be put to the vote without discussion.
 - iii) If a resolution under standing order 2d ii) above is ignored, the Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

Members of the Council recording meetings are reminded of their obligations under the Council's Code of Conduct in respect of confidential matters.

3. **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.**
4. **In an election year, the Annual Meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
5. **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 may direct.**
6. **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
7. **In addition to the Annual Meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
8. **The minimum three clear days of 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.**
9. **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.**
10. **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.**
11. **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.
12. **The Code of Conduct adopted by the Council shall apply to Councillors and members of the public co opted to serve on Committees and Sub Committees of the Council in respect of the entire meeting.**
13. **All interests arising from the Code of Conduct adopted by the Council will be recorded in the minutes giving the existence and nature of the interest.**

CHAIRMAN OF THE MEETING

14. **The person presiding at a meeting may exercise all the powers and duties of the Town Mayor in relation to the conduct of the Meeting.**

ELECTION OF MAYOR AND DEPUTY MAYOR

15. The Mayor and Deputy Mayor to be nominated at the meeting of the Full Council in the month prior to The Annual General Meeting of the Council with the exception in a Town Council election year.

PROPER OFFICER.

16. Where a Statute, Regulation or Order confers functions or duties upon the Proper Officer of the Council in the following cases, shall be The Town Clerk:
- (a) To receive Declarations of Acceptance of Office.
 - (b) To retain a copy of every Councillor's register of interests.
 - (c) To receive and retain plans and documents.
 - (d) To sign Notices and other Documents on behalf of the Council.
 - (e) **To receive and retain copies of Bye-laws made by Cornwall Council.**
 - (f) To certify copies of Bye-laws made by the Council and other such orders as adopted by the Council.
 - (g) To sign Summons to attend meetings of the Council.
 - (h) To keep proper records for all meetings.

In any other case, the Proper Officer shall be the person nominated by The Council, and in default of nomination, by The Town Clerk.

17. The Proper Officer shall:
- iv) **At last three clear days before a meeting of the Council, a Committee and Sub Committee serve on Councillors, by delivery or post to their residences, a signed summons confirming the time, place and agenda.**
 - v) **Give public notice of the time, place and agenda at least three clear days before a meeting of the Council or a meeting of a Committee or Sub Committee (provided that the public notice with agenda of an extraordinary meeting of the Council**

convened by Councillors is signed by them);

- vi) **Convene a meeting of Full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office.**

RESPONSIBLE FINANCIAL OFFICER

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

VOTING.

19. Members shall vote by a show of hands or, if at least two Members so request, by signed ballot.
20. **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.**
21. (1) **Subject to (2) and (3) below, the Chairman may give an original vote on any matter put to the vote and, in the case of an equality of votes may give a casting vote whether or not he gave no original vote.**
- (2) **If the person presiding at the Annual Meeting would have ceased to be a Member of the Council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office they may not vote in an election for Chairman.**
- (3) **The person presiding must give a casting vote whenever there is an equality of votes in an election for the Chairman**
- 22 **A Councillor or a non councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

ORDER OF BUSINESS

(In an election year Councillors should execute Declarations of Office in each others presence or in the presence of a Proper Officer previously authorised by The Council to take such Declaration, before the Annual Meeting commences.)

- 23. The first business conducted at the Annual Meeting of the Council shall be the election of the Chairman and Vice Chairman of the Council.**
- 24. The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until his successor is elected at the next Annual Meeting of the Council.**
- 25. The Vice Chairman of the Council, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman at the next Annual Meeting of the Council.**
- 26. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of a new Chairman of the Council but must give a casting vote in the case of an equality of votes.**
- 27. In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
28. The Mayor shall not hold office for more than two consecutive years.
29. Following the election of the Chairman of the Council and Vice Chairman of the Council at the Annual Meeting, the business of the Annual Meeting shall include:
 - (a) In an election year, delivery by the Chairman of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - (b) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
 - (c) To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the Council which have not been received as provided by law, shall be received.

- (d) To appoint the previously nominated Councillor for the office of Deputy Mayor, or in the case of an election year to elect a Deputy Mayor.
- (e) To appoint statutory or standing committees.
- (f) To consider the payment of any subscriptions falling to be paid annually.
- (g) If required to inspect any deeds and trust instruments in the custody of the Council; and shall thereafter follow the order set out in Standing Order 17.

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

31. In every year not later than the meeting at which the precept for next year has been settled, the Council shall review the pay and conditions of service of existing employees. (See standing Order 61 below)

32. After the first business has been completed, the order of business, unless the Council otherwise decide on the grounds of urgency, shall be as follows:

- (a) Apologies for absence shall be given to include reasons for absence; those reasons shall be recorded but not included in minutes published.
- (b) Members to declare disclosable pecuniary interests and non registerable interests (including the details thereof) in respect of any item on the agenda including gifts of hospitality exceeding £25.
- (c) To receive such communications as the presiding Chairman may wish to lay before the Council.
- (d) Subject to Standing Order 90 members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda, up to a maximum of fifteen minutes.
- (e) To read and consider the Minutes: provided that if a copy has been circulated to each Member not later than the day of issue of the Summons to attend the meeting, the Minutes may be taken as read.
- (f) After consideration, to confirm the accuracy and approve the signature of the Minutes by the**

presiding Chairman as a correct record.

- (g) To receive and consider reports and Minutes of committees and advisory committees
- (h) To receive reports from outside bodies as approved by the Chairman
- (i) Any item arising from the Minutes may be discussed without a resolution.
- (j) To deal with business expressly required by Statute to be done.**
- (k) To answer questions from Councillors.
- (l) To dispose of business, if any, remaining from the last meeting.
- (m) To receive and consider Reports from Officers of the Council.
- (n) To authorise the sealing of documents.
- (o) To authorise the signing of Orders for payment.
- (9) To consider motions or recommendations in the order in which they have been notified.
- (r) Any other business notified in the Summons.

33. A motion to vary the Order of Business.

- (a) may be proposed by the Chairman or by any other Member and, if proposed by the Chairman may be put to the vote without being seconded, and
- (b) shall be put to the vote without discussion.

RESOLUTIONS

- 34. Except as provided by the Standing Orders, no additional agenda items may be added unless the business to which it relates has been put on the agenda by the Town Clerk or the mover has given notice in writing of its terms and has delivered the Notice to the Town Clerk at least six clear days before the next meeting of the Council.
- 35. The Town Clerk shall date every Notice of Motion or Recommendation when received by him, shall number each Notice in the order in which it is received and shall enter it in a record which shall be open to the inspection of every Member of the Council.
- 36. The Town Clerk shall insert in the Summons for every meeting all Notices of Motion or Recommendation properly given in the order

in which they have been received unless the Member giving Notice of Motion has stated in writing that he intends to move at some later meeting or that he withdraw it.

37. If a Resolution or Recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh Notice.
38. If the subject matter of a Resolution come within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report provided that the Chairman, if he consider it to be a matter of Urgency, may allow it to be dealt with at the meeting at which it was moved.
39. Every Resolution or Recommendation shall be relevant to some question over which the Council has power or which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

40. Resolutions dealing with the following matters may be moved without notice:
 - (a) to appoint a Chairman of the meeting;
 - (b) to correct the Minutes;
 - (c) to approve the Minutes;
 - (d) to alter the order of business;
 - (e) to proceed to the next business;
 - (f) to close or adjourn the debate;
 - (g) to refer a matter to committee;
 - (g) to appoint a committee or members thereof;
 - (i) to adopt a Report;
 - (j) to authorise the sealing of documents;
 - (k) to amend a motion;
 - (l) to give leave to withdraw a motion or amendment;
 - (m) to extend the time limit for speeches;
 - (n) to consider otherwise than in committee a question affecting an employee of the Council;
 - (o) to exclude the Press and Public in connection with matters of a personal nature affecting employees of the

Council or where personal or confidential matters of others are about to be discussed;

- (p) to silence or eject from the meeting a Member named for misconduct;
- (q) to give consent of the Council where such consent is required by these Standing Orders;
- (r) to suspend any or all of these Standing Orders.

QUESTIONS

- 41. A member may ask the Chairman of the Council or the Town Clerk any question concerning the business of the Council provided it is not covered by an agenda item. A period of 48 clear hours notice of the question must be given to the person to whom it is addressed before the meeting begins.
- 42. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- 43. Every question shall be put and answered without discussion.

SMOKING

- 44. Smoking shall not be permitted within the grounds of the Town Council building.

RULES OF DEBATE

- 45. A Councillor or member of the public co opted to serve on Council Committees and Sub Committees who has a non registerable interest defined under 3.5A of the Council's Code of Conduct, may by invitation of the Chairman, remain in the room to address the Council to provide any information as they reasonably consider might inform the debate before leaving the room.**
- 46. The period of time for addressing the Council under 41 shall not exceed five minutes and will be at the discretion of the Chairman.**
- 47. Corrections to the Minutes shall be made by Resolution and initialled by the Chairman.
 - (a) Minutes of meetings should be received for accuracy in the first instance.
 - (b) The minutes of the meetings being received shall be moved by the Chairman and Vice Chairman of that meeting if present.

- (c) Only members present at the meeting in which the minutes are being received shall be entitled to vote on them.
- 48.
- (a) a resolution or amendment shall not be discussed unless it has been proposed and seconded.
 - (b) A member when seconding a resolution or amendment may, if they then declare their intention so to do, reserve their speech until a later period in the debate.
 - (c) A member shall direct their speech to the question under discussion or to a personal explanation or to a question of order.
 - (d) No speech shall exceed three minutes except by consent of the Council, except that the mover of the resolution whose speech shall not exceed five minutes.
 - (e) An amendment shall be either:
 - i) to leave out words;
 - ii) to leave out words and insert or add others;
 - iii) to insert or add others.
 - (f) An amendment shall not have the effect of negating the motion before the Council.
 - (g) If an amendment be carried the motion as amended shall take the place of the original motion and shall become the motion to which any other amendment may be moved.
 - (h) A further amendment shall not be moved until the Council has disposed of every other amendment previously moved;
 - (i) The mover of a motion or of an amendment shall have the right of reply.
 - (j) A member, other than a mover of a motion, shall not without leave of The Chairman speak more than twice on any motion except to move an amendment or further amendment or, on an amendment or point of order or in a personal explanation or to move the closure.
 - (k) A member may rise to make a point of order or of personal explanation. A point of order can only be raised to inform the Chairman of an alleged breach of Standing Orders with a direct reference to the said order. A personal explanation shall be confined to some material part of a former speech by them which may have been misunderstood. A member rising for these purposes shall be heard forthwith.

- (l) A motion or amendment may be withdrawn by the proposer with the consent of the seconder, which shall be signified without discussion: no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
 - (m) When a motion is under debate, no other motion shall be moved except the following:
 - i) to amend the motion;
 - ii) to proceed to next business;
 - iii) to adjourn the debate;
 - iv) that the question now be put;
 - v) that a member now named be not further heard;
 - vi) that the member now named does leave the meeting;
 - vii) that the matter be referred to a committee;
 - viii) to exclude the press and public under the conditions out-lined in Standing Order No 40 (o);
 - ix) to adjourn the meeting.
49. Members and Officers shall stand when speaking unless permitted by the Chairman to sit, or on the account of infirmity.
50. (a) The Ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the Chairman.
- (c) Members will indicate their desire to speak by a silent signal to the Chairman who may then call each speaker in turn to speak.
- (d) Whenever the Chairman rises during a debate, all other Members shall be seated and silent.
- (e) The Chairman should conduct the meeting impartially treating each Member equally no matter what political persuasion they hold or personal opinion they may have.
- (f) No meeting of the Council will last longer than two hours without a resolution passed by a majority vote.

CLOSURE

51. At the end of any speech, a member may without comment move that the question now be put, that the debate now be adjourned or that the Council do now adjourn. If such a motion be seconded and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), they shall forthwith put the question. If the motion that the question now be put is carried, they shall call upon the mover to exercise or waive their right of reply and shall put the question immediately after that right has been exercised or waived. The

adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

CODE OF CONDUCT

- 52. (a) All Councillors and members of the public co opted to serve on Council committees and sub committees shall observe the code of conduct adopted by the Council.**
- (b) All Councillors and members of the public co opted to serve on Council committees and sub committees shall maintain a Register of Disclosable Pecuniary Interests and must update their register by notifying the Town Clerk and Monitoring Officer of any changes within 28 days.**
- (c) All Councillors shall undertake training in the code of conduct within six months of the delivery of their declaration of acceptance of office.**
- (d) Councillors and members of the public co opted to serve on Council Committees and Sub Committees who have registered a Disclosable Pecuniary Interest in relation to any item of business being transacted at the meeting, shall leave the room whenever the item is being discussed.**
- (e) Councillors and members of the public co opted to serve on Council committees and sub committees who have declared a non Registerable Interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed.**
- (f) All gifts and hospitality offered or received worth £25 or above must be recorded in the Register of Interests maintained by the Proper Officer of the Council.**

DISPENSATIONS

- 53. (a) A councillor or a member of the public co opted to serve on a Committee or Sub Committee who has declared a Disclosable Pecuniary Interest or Non Registerable Interest in any item of business being transacted at a meeting may submit a written request for a dispensation before the start of the meeting.**
- (b) Consideration of written requests for dispensations shall be a standing item on all agendas of meetings of the council, its committees and sub committees.**

- (c) **The Council will not award dispensations to councillors or co opted members of Committees attending any informal meeting of the Council, its committees and sub committees where no record of the proceedings is made.**
- (d) 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 requires and that decision is final
- (e) **Standing Order 53 shall apply to all meetings of the Council, its committees and sub committees.**

A dispensation may be granted in accordance with in accordance with Standing Order 53(d) above if having regard to all relevant circumstances the following applies:

- iv) **Without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
- v) **Granting the dispensation is in the interests of persons living in the council's area or**
- vi) **It is otherwise appropriate to grant a dispensation.**

DISORDERLY CONDUCT

- 54. (a) No Member shall misconduct themselves at a meeting by persistently disregarding the ruling of the Chairman or by wilfully obstructing business or by behaving irregularly, offensively, improperly **or in such a manner as to scandalise The Council or to bring it into disrepute, contempt or ridicule.**
- (b) If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, any Councillor or the Chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- (c) If the motion mentioned in paragraph (b) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

55. (a) Canvassing of members of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Town Clerk shall make known the purport of this subparagraph of this Standing Order to every candidate.
- (b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion but nevertheless a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for an appointment.
56. Standing Orders No 53 and 55 shall apply to Tenders as if the person making the Tender were a candidate for an appointment.

RIGHT OF REPLY

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

ALTERATION OF RESOLUTION

58. A member may, with the consent of his seconder, move amendments to his motion.

RESCISSION OF PREVIOUS RESOLUTION

59. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by special resolution the written notice whereof bears the names of at least six members of the Council.
- (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.
- (c) In view of 59 (a) and 59 (b) above any resolution in view of special circumstances may be brought back with the support of nine or more Council members.

VOTING ON APPOINTMENTS

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

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

61. If at a meeting there arise any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has decided whether or not the public shall be excluded (see Standing Order No 93).
62. Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, capabilities, grievance and disciplinary matters.
63. The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
64. Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
65. Access and means of access by keys and computer passwords to records of employment shall be provided only to the Town Clerk and Chairman of the Council.

EXPENDITURE

66. **Orders for the payment of money shall be authorised by resolution of the Council and signed by any two of the following:**
- i) The Mayor of Camborne.
 - ii) Deputy Mayor of Camborne.
 - iii) Chairman of the Finance and General Purposes Committee.
 - iv) Chairman of the Amenities Committee.
 - v) Chairman of the Planning and Development Committee.
- and countersigned by The Town Clerk.

SEALING OF DOCUMENTS

67. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by Resolution.

COMMITTEES AND SUB-COMMITTEES

68. The Council may at the Annual Meeting appoint Standing Committees and may at any other time appoint such other committees as are necessary but subject to any statute provision on that behalf:
- (a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
 - (b) May appoint persons other than members of the Council to any Committee with no voting powers except when those Sub Committees relate to Tourism and Festivals.
 - (c) May subject to the provisions of Order 68 above at any time dissolve or alter the membership of a committee.
 - (d) Each committee shall consist of up to nine Members.
 - (e) Each committee shall reflect the political balance of the Council as far a possible.
 - (f) Each member shall have equal committee work as far as possible.
 - (g) Minutes for each Committee meeting will be produced and circulated prior to the next meeting of the Full Council where the Council will receive them. Members will then have the opportunity to request that the Chairman of that Committee takes any matter back for further discussion in the light of new/additional information, however, the decision of whether to take back or not rests solely with the Chairman of that committee. The Minutes are then taken back to the next appropriate Committee meeting for approval as a true and accurate record.
 - (h) Any Committee meeting that is not held due to it being inquorate must be called again by the Chairman within 14 working days.
 - (i) Substitutes will not be allowed at any Committee, Sub Committee or Working Party.
69. The Mayor and Deputy Mayor ex-officio shall be voting members of every committee.
70. The following Committees shall be the Standing Committees of the Town Council and shall consist of nine members: The Planning and Development Committee; The Amenities Committee; The Finance and General Purposes Committee.

71. Every Committee shall at its first meeting before proceeding to any other business elect a Chairman and elect a Vice-Chairman, and both may hold office until the next Annual Meeting of the Council.
- 72. The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- 73. If the Chairman of the Council does not or refuses to 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 must be signed by the two Councillors.**
74. Every Committee may appoint Sub-Committees whose terms of reference and members shall be determined by the parent Committee.
75. The Chairman and Vice-Chairman of the Committee shall be members of every Sub-Committee appointed by it unless they signify that they do not wish to serve. That Sub-Committee shall be appointed from members of the appointing Committee unless specialist knowledge is required by that Sub Committee.
76. Except where ordered by the Council in the case of a Committee (or by the Council or the appropriate Committee in the case of a Sub-Committee), the quorum shall be one third of the Members elected to the Committee.
77. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than twice) and the Standing Orders on interests of members in contracts and other matters shall apply to Committee and Sub-Committee meetings in so far as they are appropriate.

DELEGATED POWERS

78. The Council has approved a Scheme of Delegation for its Proper Officer/ Responsible Officer, Council, Committees and Sub Committees together with comprehensive Terms of Reference. This forms an integral part of the Council's Standing Orders and is attached to the Standing Orders as Appendix 3.

ADVISORY COMMITTEES

- 79 (a) the council may create Working Parties as necessary, whose terms of reference and members shall be determined by resolution of the parent committee as the

sovereign body. Each committee may vary in number and can be drawn from such nominating bodies as are deemed appropriate.

- (b) The Town Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
- (c) An advisory committee may make recommendations and notice thereof to the parent Committee.
- (d) An advisory committee may not consist wholly of persons who are not members of the Council.

VOTING IN COMMITTEES

80. Members of Committees and Sub-Committees shall vote by a show of hands and retain the right to a recorded vote.

81. Chairmen of Committees and Sub-Committees shall in the case of an equality of votes have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

82. A Member who has proposed a motion which has been referred to any committee of which he is not a member may explain his motion to the Committee but may not vote.

83. Any member shall, unless the Council otherwise orders, be entitled to be present as a spectator of the meetings of any Committee or Sub-Committee of which he is not a member and with the consent of the Chairman be allowed to speak.

ACCOUNTS AND FINANCIAL STATEMENT

- 84.
- (a) Except as provided in paragraphs (b) of the Standing Order or by Statute, all accounts for payment and claims upon the Council shall be laid before the Council.
 - (b) Where it is necessary to make payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Unless it has been otherwise authorised by the Council, payment shall be authorised by the committee (if any) having charge of the business to which it relates or by The Mayor or the Deputy Mayor of the Council.
 - (c) All payments authorised under sub-paragraph (b) of the Standing Order or made without authority of the Council shall be separately included in the next schedule of payments laid before the Council.

INTERESTS

85. The Town Clerk shall supply to each member at the ordinary meeting next after the Financial Year a Schedule of Receipts and Payments.

ESTIMATES

86. Any committee desiring to incur expenditure to be defrayed out of the Council Tax shall not later than 30th September in any year give to The Town Clerk a written estimate of the expenditure recommended for the coming year and such estimate shall be submitted at its meeting in December.

INSPECTION OF DOCUMENTS

87. A member may for the purposes of his duty (but not otherwise) inspect any document in possession of the Council or a committee and, if copies are available, shall on request be supplied for the like purpose with a copy.
88. (a) **All minutes kept by the Council and by any Committee shall be open for the inspection of any member of the Council;**
- (b) The minutes of the Council shall be open to inspection by any local government elector of the Town without charge.

UNAUTHORISED ACTIVITIES

89. No member of the Council or of any committee or of any sub-committee shall in the name of or on behalf of the Council
- (a) Inspect any lands or premises which the Council has a right or duty to inspect
- or
- (b) issue orders

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

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- 90 **The Public and the Press shall be admitted to all meetings of The Council and its Committees** and Sub-Committees **which may however temporarily exclude** the Public and Press or both by means of the following resolution: "That in the view of the [special][confidential] nature of the business about to be transacted, it is advisable in the public interest that the public and Press be temporarily excluded and they are instructed to withdraw".

91. **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.**
92. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after a warning, order that they be removed from The Council Chamber or that the part of the Chamber open to the Public be cleared.

CONFIDENTIAL BUSINESS

93. (a) From time to time, a member or officer of the Council may declare they have information which is confidential but germane to the discussion. Upon such member or officer declaring the same, the Chairman shall be empowered to cease discussion at once to enquire whether or not the provision of Standing Order 94 be applied;
- (b) No member of the Council or of any Committee or of any Sub-Committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the Committee or Sub-Committee as the case may be.

LIAISON WITH CORNWALL COUNCILLORS

94. An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillors of Cornwall Council representing the area of the council.
95. Unless the Council determines otherwise, the substance of each letter ordered to be sent to the Cornwall Council shall be transmitted to the Cornwall Councillor for the Division.

PLANNING APPLICATIONS

96. (a) The Town Clerk shall, as soon as it is received, enter in record kept for the purpose the following particulars of every planning application notified to the Council:
- i) The date on which it is received.
 - ii) The name of the applicant.
 - iii) The place to which it relates.
 - iv) A summary of the application.
- (b) The Planning and Development Committee is authorised to reply direct to any relevant body on any matter of planning.

STANDING ORDER ON CONTRACTS

97. Where applicable as a course of good practice the Council should implement Best Value procedures.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

98. Any part of these Standing Orders except those printed in **bold type** may be suspended by Resolution in relation to any specific item of business.
99. A motion permanently to vary or revoke a Standing Order shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Council.

STANDING ORDERS TO BE GIVEN TO THE MEMBERS

100. A printed copy of these Standing Orders shall be given to each Member of the Council. An up to date copy of the Charles Arnold-Baker Local Council Administration book shall be made available for reference to any member by the Town Clerk at the Town Council Office.

FINANCIAL MATTERS

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

Such Regulations shall include detailed arrangements for the following:

- i) the accounting records and systems of internal control;
- ii) the assessment and management of risks faced by the Council;
- iii) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
- iv) the financial reporting requirements of members and local electors and

procurement policies including values for which quotations and tenders will be required and specifying minimum numbers of quotations and tenders to be sought for each value 102. Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations a copy of which is annexed to these standing orders.

ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

103. The Council shall deal with complaints of mal-administration against the Council, whether alleged to have been caused by any officer or member, in such manner as adopted by the Council. Any allegations which are solely about a breach of the Code of Conduct by one or more members shall be forwarded to the Standards Committee of Cornwall Council or, in the alternative, the complainant shall be advised that that is the body to which such complaints be made. Where an allegation of maladministration also gives rise to a potential breach of the Code of Conduct for members the complainant shall be advised that this Council does not have jurisdiction to Code of Conduct complaints and they shall be advised that such a role falls to the Standards

Committee of Cornwall Council.

- 104. Notification of any complaint shall remain confidential to the Proper Officer of the Council until such time as the matter has been concluded.**
- 105. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council of that fact, who upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this Standing Order, who shall continue to act in respect of that matter until the complaint is resolved.**
- 106. Where the notification relates to a complaint made by the Proper Officer against the Chairman of the Council, the Proper Officer shall notify the Deputy Chairman of that fact, who upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this Standing Order, who shall continue to act in respect of that matter until the complaint is resolved.**
- 107. Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.**
- 108. References in Standing Orders 104, 105 and 106 to a notification shall be taken to refer to a communication of any kind which relates to a breach or alleged breach of the code of conduct by a councillor.**

POLICIES

113. All Councillors and Officers must adhere to the Council's policies.

Appendix 1

The Cornwall Code of Conduct for City, Community, Parish and town Councils adopted by Camborne Town Council on 16th October 2012

Appendix 2

Camborne Town Council Financial Regulations

Appendix 3

Camborne Town Council Scheme of Delegation

APPENDIX 1

2012

Cornwall

Code of Conduct

For

City, Community, Parish and Town Councils



16.10.12



Code of Conduct for Members

General principles of public life

The Localism Act 2011 requires the Council to adopt a Code of Conduct for Members that is consistent with the following principles:

Selflessness – members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and integrity – members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.

Objectivity – members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability – members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness – members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Leadership – members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

Camborne Town Council also expects its Members to observe the following principles:

Personal judgement – members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others – members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

Duty to uphold the law – members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship – members should do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.

Whilst these overriding principles are not formally part of the Code of Conduct they underpin the purpose and provisions of the Code of Conduct and are principles in accordance with which Members should conduct themselves.

Introduction and Interpretation

1. This Code of Conduct has been adopted by Camborne Town Council to support its duty to promote and maintain high standards of conduct by Members of the Council as required by the Localism Act 2011.

2. In this Code:

“**Member**” includes an elected member and a co-opted member

“**Monitoring Officer**” means the Monitoring Officer of Cornwall Council. This is because the Localism Act 2011 requires the Monitoring Officer of the principal council to discharge certain ethical standards responsibilities in relation to the local councils in their area.

“**meeting**” means any meeting of the Council and any of the Council’s committees, sub committees, joint committees with other authorities or other formal meetings

“**disclosable pecuniary interest**” means an interest described in Part 5A of this Code and which is an interest of a Member or an interest of (i) that Member’s spouse or civil partner; (ii) a person with whom that Member is living as husband or wife; or (iii) a person with whom that Member is living as if they were civil partners, and that Member is aware that that other person has the interest

“**non-registerable interests**” mean an interest as defined in Part 5B of this Code

“**dispensation**” means a dispensation granted by the Council or other appropriate person or body which relieves a Member from one or more of the restrictions set out in sub-paragraphs 3(5)(i), 3(5)(ii) and 3(5)(iii) of Part 3 of this Code to the extent specified in the dispensation

“**register**” means the register of disclosable pecuniary interests maintained by the Monitoring Officer of Cornwall Council

“**sensitive interest**” means an interest that a Member has (whether or not a disclosable pecuniary interest) in relation to which the Member and the Monitoring Officer consider that disclosure of the details of that interest could lead to the Member, or a person connected with the Member, being subject to violence or intimidation

“**interest**” means any disclosable pecuniary interest or any non-registerable interest where the context permits

3. This Code is arranged as follows:
 - Part 1 Application of the Code of Conduct
 - Part 2 General obligations
 - Part 3 Registering and declaring interests
 - Part 4 Sensitive interests
 - Part 5A Pecuniary interests
 - Part 5B Interests other than pecuniary interests

Part 1 – Application of the Code of Conduct

- 1.1 This Code applies to you as a Member of the Council.
- 1.2. This Code should be read together with the preceding general principles of public life.
- 1.3. It is your responsibility to comply with the provisions of this Code.
- 1.4 Subject to paragraphs 1.5, 1.6 and 1.7 of this Code you must comply with this Code whenever you:
 - (a) conduct the business of the Council, which in this Code includes the business of the office to which you have been elected or appointed; or
 - (b) act, hold yourself out as acting or conduct yourself in such a way that a third party could reasonably conclude that you are acting as a representative of the Council and references to your official capacity are construed accordingly.
- 1.5 As well as having effect in relation to conduct in your official capacity, this Code also has effect where your conduct in your personal capacity constitutes a criminal offence for which you have been convicted (including an offence which you committed before you took office but for which you are convicted after that date).
- 1.6 Where you act as a representative of the Council:
 - (a) on another authority which has a Code of Conduct, you must, when acting for that other authority, comply with that other authority's Code of Conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with this Code of Conduct, except and insofar as it conflicts with any lawful obligations to which that other body may be subject.
- 1.7 Where you are also a member of an authority other than the Council you must make sure that you comply with the relevant Code of Conduct depending on which role you are acting in. Your conduct may be subject to more than one Code of Conduct depending on the circumstances. Advice can be sought from the proper officer of the Council (usually the Clerk to the Council).

Part 2 – General obligations

- 2.1 You must treat others with respect.
- 2.2 You must not treat others in a way that amounts to or which may reasonably be construed as unlawfully discriminating against them.
- 2.3 You must not bully any person.
- 2.4 You must not intimidate or attempt to intimidate others.
- 2.5 You must not conduct yourself in a manner which is contrary to the Council's duty to promote and maintain high standards of conduct by Members.
- 2.6 You must record in a register of interests maintained by the Proper Officer any gifts or hospitality that you are offered or receive in connection with your official duties as a member and the source of the gift or hospitality worth £25 or over.
- 2.7 You must not do anything which compromises or is likely to compromise the impartiality of those who work for or on behalf of the Council.
- 2.8 You must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where –
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees in writing not to disclose the information to any other person before the information is provided to them; or
 - (iv) the disclosure is –
 - (a) reasonable and in the public interest; and
 - (b) made in good faith; and
 - (c) in compliance with the reasonable requirements of the authority, which requirements must be demonstrable by reference to an adopted policy, procedure or

similar document of the Council or evidenced by advice provided by the proper officer of the Council (usually the Clerk to the Council) or their nominee.

- 2.9 You must not prevent or attempt to prevent another person from gaining access to information to which that person is entitled by law.
- 2.10 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.
- 2.11 You must not use or attempt to use your position as a member of the Council improperly to confer on or to secure for yourself or any other person an advantage or disadvantage.
- 2.12 You must when using the resources of the Council:
- (i) have the prior formal permission of the Council;
 - (ii) act in accordance with the reasonable requirements of the Council;
 - (iii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (iv) have regard to any statutory or other requirements relating to local authority publicity.
- 2.13 You must not authorise the use of the Council's resources by yourself or any other person other than by your participation in a formal decision made at a meeting and in accordance with the Council's standing orders or other procedural rules.
- 2.14 When reaching decisions on any matter you must have regard to any relevant advice provided to you by the proper officer of the Council (usually the Clerk to the Council).
- 2.15 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

Part 3 – Registering and declaring interests and withdrawal from meetings

- 3.1 The provisions of this Part of this Code are subject to the provisions of Part 4 of this Code relating to sensitive interests.
- 3.2 Within 28 days of becoming a Member you must notify the Monitoring Officer of any disclosable pecuniary interest that you have at the time of giving the notification.

- 3.3 Where you become a Member as a result of re-election or your co-option being renewed you need only comply with paragraph 3.1 of this Code to the extent that your disclosable pecuniary interests are not already entered on the register at the time the notification is given.
- 3.4 You are not required to notify non-registerable interests to the Monitoring Officer for inclusion in the register.
- 3.5 If you are present at a meeting and you are aware that you have a non-registerable interest or a disclosable pecuniary interest in any matter being considered or to be considered at the meeting you must disclose that interest to the meeting if that interest is not already entered in the register and, unless you have the benefit of a current and relevant dispensation in relation to that matter, you must:
- (i) not participate, or participate further, in any discussions of the matter at the meeting;
 - (ii) not participate in any vote, or further vote, taken on the matter at the meeting; and
 - (iii) remove yourself from the meeting while any discussion or vote takes place on the matter, to the extent that you are required to absent yourself in accordance with the Council's standing orders or other relevant procedural rules.
- 3.5A Where a Member has a non-registerable interest in a matter to which paragraph 3.5 relates that does not benefit from a valid dispensation and that interest arises only from the Member's participation in or membership of a body whose objects or purposes are charitable, philanthropic or otherwise for the benefit of the community or a section of the community the Member may [with the permission of the Chairman of the meeting or until such time as the Chairman directs the Member to stop] address the meeting to provide such information as they reasonably consider might inform the debate and decision to be made before complying with paragraphs 3.5(i), (ii) and (iii).
- 3.6 If a disclosable pecuniary interest to which paragraph 3.5 relates is not entered in the register and has not already been notified to the Monitoring Officer at the time of the disclosure you must notify the Monitoring Officer of that interest within 28 days of the disclosure being made at the meeting.
- 3.7 Within 28 days of becoming aware of any new disclosable pecuniary interest, or change to any disclosable pecuniary interest already registered or notified to the Monitoring Officer, you must notify that new interest or the change in the interest to the Monitoring Officer.

- 3.8 All notifications of disclosable pecuniary interests to the Monitoring Officer must be made in writing and such disclosures as are made at meetings must be confirmed in writing to the Monitoring Officer.
- 3.9 You must notify the proper officer of your Council in writing of the detail of all disclosable pecuniary interests that are notified or confirmed to the Monitoring Officer.

Part 4 – Sensitive interests

- 4.1 Members must notify the Monitoring Officer of the details of sensitive interests but the details of such interests will not be included in any published version of the register.
- 4.2 The requirement in paragraph 3(5) of Part 3 of this Code to disclose interests to meetings shall in relation to sensitive interests be limited to declaring the existence of an interest and the detail of the interest need not be declared.

Part 5A – Disclosable Pecuniary Interests

In this Part of the Code the expressions in the middle column have the meanings attributed to them in the right hand column

(a)(i)	“body in which the relevant person has a beneficial interest”	means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director or in the securities of which the relevant person has a beneficial interest
(a)(ii)	“director”	includes a member of the committee of management of an industrial and provident society
(a)(iii)	“land”	includes an easement, servitude, interest, or right over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income
(a)(iv)	“relevant authority”	means the authority of which you are a member
(a)(v)	“relevant person”	means you, your spouse or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living with as if you are civil partners
(a)(vi)	“securities”	means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society

The following table sets out the disclosable pecuniary interests that

have been prescribed by the Secretary of State for the purposes of the Code of Conduct and the Localism Act, 2011

Interest		Description
(b)(i)	Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain
(b)(ii)	Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out your duties as a member, or towards the election expenses of you. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992
(b)(iii)	Contracts	Any contract which is made between the relevant person (or a body which in which the relevant person has a beneficial interest) and the relevant authority under which goods and services are to be provided or works are to be executed and which has not been fully discharged
(b)(iv)	Land	Any beneficial interest in land which is within the area of the relevant authority
(b)(v)	Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer
(b)(vi)	Corporate tenancies	Any tenancy where, to your knowledge the landlord is the relevant authority and the tenant is a body in which the relevant person has a beneficial interest
(b)(vii)	Securities	Any beneficial interest in securities of any body where that body, to your knowledge, has a place of business or land in the area of the relevant authority and either the total nominal value of the securities exceeds £25,000 or one hundredth of the total of the issued share capital of that body or if the share capital of that body is of more than one class the total nominal value of the shares in any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class

Part 5B – Non-registerable interests

You have a non-registerable interest where a decision in relation to a matter being determined or to be determined:

- (i) might reasonably be regarded as affecting the financial position or well being of you; a member of your family or any person with whom you have a close association; or any body or group which you are a member of more than it might affect the majority of council tax payers, rate payers or inhabitants in the parish; and
- (ii) the interest is such that a reasonable person with knowledge of all the relevant facts would consider your interest so significant that it is likely to prejudice your judgement of the public interest.

save that business relating to the following functions will not give rise to non-registerable interests:

- school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- statutory sick pay under, where you are in receipt of, or are entitled to the receipt of, such pay;
- an allowance, payment or indemnity given to members;
- any ceremonial honour given to members; and
- setting of the precept

and for the avoidance of doubt the above exceptions to the definition of non-registerable interests do not negate the requirements arising from having a disclosable pecuniary interest.

APPENDIX 2

CAMBORNE TOWN COUNCIL FINANCIAL REGULATIONS

These Financial Regulations were adopted by the Council at its Meeting held on 25th November 2014.

1. GENERAL

- 1.1 These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of financial control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption. These financial regulations are designed to demonstrate how the council meets these responsibilities.
- 1.2 The Responsible Financial Officer (RFO) is a statutory office and shall be appointed by the council. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly. The RFO, acting under the policy direction of the Council, shall administer the Council's financial affairs in accordance with proper practices. The RFO shall determine on behalf of the council its accounting records, and accounting control systems. The RFO shall ensure that the accounting control systems are observed and that the accounting records of the council are maintained and kept up to date in accordance with proper practices.
- 1.3 The RFO shall produce financial management information as required by the council.
- 1.4 At least once a year, prior to approving the annual return, the council shall conduct a review of the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.5 In these financial regulations, references to the Accounts and Audit Regulations shall mean the Regulations issued under the provisions of section 27 of the Audit Commission Act 1998 and then in force.
- 1.6 In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in

Governance and Accountability in local Councils in England and Wales – a Practitioners’ Guide which is published jointly by NALC and SLCC and updated from time to time.

2. ANNUAL ESTIMATES (BUDGET)

- 2.1 Each Committee shall formulate and submit proposals to the Council in respect of revenue and capital including the use of reserves and sources of funding for the following financial year not later than the end of November each year.
- 2.2 Detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the year shall be prepared each year by the RFO in the form of a budget to be considered by the council.
- 2.3 The Council shall review the budget not later than the end of January each year and shall fix the Precept to be levied for the ensuing financial year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved budget.
- 2.4 The annual budgets shall form the basis of financial control for the ensuing year.
- 2.5 The Council shall consider the need for and shall have regard to a three year forecast of Revenue and Capital Receipts and Payments which may be prepared at the same time as the annual Budget.

3 BUDGETARY CONTROL

- 3.1 Expenditure on revenue items may be incurred up to the amounts included for that budget head of expenditure in the approved budget.
- 3.2 No expenditure may be incurred that will exceed the amount provided in the revenue budget for that budget head of expenditure. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate.
- 3.3 The RFO shall regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the

budget. These statements are to be prepared at least at the end of each financial quarter and in practice at each regular meeting of the Budget and Development Committee.

- 3.4 The Clerk following consultation with either the Town Mayor and Deputy Mayor or the Chairman and Vice Chairman of the appropriate committee, may incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000. The Clerk shall report the action to the Budget and Development Committee as soon as practicable thereafter.
- 3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless placed in an earmarked reserve by resolution of the council.
- 3.6 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.
- 3.7 All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.

4. ACCOUNTING AND AUDIT

- 4.1 All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidelines and proper practices.
- 4.2 On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman [or a cheque signatory] shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Budget and Development Committee.
- 4.3 The RFO shall complete the annual statement of accounts, annual report, and any related documents of the Council contained in the s Annual Return (as specified in proper practices) as soon as practicable after the end of the

financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit Regulations.

- 4.4 The RFO shall ensure that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with proper practices. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.
- 4.5 The Internal Auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices. The Internal Auditor, who shall be competent and independent of the financial operations of the Council, shall report to Council in writing, or in person, on a regular basis with a minimum of one annual written report in respect of each financial year. In order to demonstrate competence, objectivity and independence, the internal auditor shall be free from any conflicts of interest, including those relating to family relationships, and have no involvement in the financial decision making, management or control of the council.
- 4.6 The Council shall carry out a review of the effectiveness of internal audit on an annual basis in accordance with the Accounts and Audit Regulations 2003 and 2006 and any subsequent amendments thereto.
- 4.7 The RFO shall make arrangements for the exercise of electoral rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and for the display or publication of any Notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 4.8 The RFO shall, as soon as practicable, bring to the attention of all councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

5. BANKING ARRANGEMENTS AND CHEQUES

- 5.1 The Council's banking arrangements, including the Bank Mandate, shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency.

- 5.2 A schedule of the payments required or made, forming part of the Agenda for the meeting, shall be prepared by the RFO and, together with the relevant invoices, be presented to the Budget and Development Committee. If the schedule is in order it shall be authorised or received and accepted as appropriate, by a resolution of the Budget and Development Committee and shall be initialled by the Chairman of the Meeting. If more appropriate the detail may be shown in the Minutes of the Meeting.
- 5.3 Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2 or in accordance with paragraph 6.4, shall be signed by two authorised members of Council, and countersigned by the Clerk, as defined in Standing Order 64.
- 5.4 To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 5.5 Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

6 PAYMENT OF ACCOUNTS

- 6.1 All payments shall be effected by cheque or other order drawn on the Council's bankers.
- 6.2 All invoices for payment shall be examined, verified and certified by the Clerk or by the appropriate Councillors as identified in Standing Orders. The Clerk shall satisfy him/herself that the work, goods or services to which the invoice relates shall have been received, carried out, examined and approved.
- 6.3 The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Clerk shall take all steps to settle all invoices submitted, and which are in order, at the next available Budget and Development Committee Meeting.
- 6.4 If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next

scheduled Meeting of Budget and Development Committee, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, the Clerk may (notwithstanding para 6.3) take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of the Budget and Development Committee.

- 6.5 The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement:
- a) The RFO shall maintain as petty cash float of £100 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
 - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
 - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council under 5.2 above.
- 6.6 If thought appropriate by the council, payment for utility supplies (energy, telephone and water) may be made by variable Direct Debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable Direct Debit shall be renewed by resolution of the council at least every two years.

7 PAYMENT OF SALARIES

- 7.1 As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salaries shall be as agreed by Council.
- 7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to and ratified by the next available Budget and Development Committee meeting.

- 7.3 No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the [council] [relevant committee].
- 7.4 Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5 The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6 An effective system of personal performance management should be maintained for the senior officers.
- 7.7 Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8 Before employing interim staff the council must consider a full business case.

8 LOANS AND INVESTMENTS

- 8.1 All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.
- 8.2 The council shall consider the need for an Investment Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Policy shall be reviewed at least annually.

- 8.3 All investments of money under the control of the Council shall be in the name of the Council.
- 8.4 All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The terms and conditions of borrowings shall be reviewed at least annually.
- 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9 INCOME

- 9.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 9.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the Council.
- 9.3 The Council will review all fees and charges annually, following a report of the Clerk.
- 9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.
- 9.5 All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.
- 9.6 The origin of each receipt shall be entered on the paying-in slip.
- 9.7 Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9 Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is counted in the first

instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10 ORDERS FOR WORK, GOODS AND SERVICES

- 10.1 An official order or letter shall be issued for all work, goods and services, as far as reasonable and practicable, unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2 Order books shall be controlled by the RFO.
- 10.3 All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11 (I) below.
- 10.4 No member may issue an official order or make any contract on behalf of the Council.
- 10.5 The Clerk shall maintain a register of all companies/individuals contacted and quotes received.
- 10.6 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

11 CONTRACTS

- 11.1 Procedures as to contracts are laid down as follows:
 - (a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items (i) to (vi) below:
 - (i) for the supply of gas, electricity, water, sewerage and telephone services;
 - (ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;

- (iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - (v) for additional audit work of the external Auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of Council);
 - (vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
- (b) Where it is intended to enter into a contract exceeding £15,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list.
- (c) There are three forms of tender procedure: open, restricted and negotiated; the circumstances in which each procedure should be used are described below.

Open Tender

This is where all potential suppliers are invited to tender. The Town Clerk must discuss and agree with the Full Council or relevant Standing Committee how best to advertise for suppliers e.g. general press, trade journals or to identify potential suppliers and contact them directly if practical. This is the preferred method of tendering as it is most conducive to competition and the propriety of public funds.

Restricted Tender

This is where suppliers are specifically invited to tender. Restricted tenders are appropriate where:
There is a need to maintain a balance between the contract value and administrative costs;
A large number of suppliers come forward or because the nature of the goods are such that only specific suppliers can be expected to supply the Council's requirements; and

The costs of publicity and advertising are likely to outweigh the potential benefits of open tendering.

Negotiated Tender

The terms of the contract may be negotiated with one or more chosen suppliers. This is appropriate in specific circumstances:

The open tender methods have resulted in either no or unacceptable tenders;

Only one or very few suppliers are available;

Extreme urgency exists;

Additional deliveries by an existing supplier are justified Preparation for Tender.

- (d) In the evaluation of tenders, full consideration shall be given to:

The objective of the project;

Overall requirements;

Technical skills required;

After sales service requirements;

Form of contract.

It may be useful, after all requirements have been established, to rank requirements (e.g. mandatory, desirable and additional) and award marks to suppliers on fulfilment of these requirements to help reach an overall decision.

A tender other than the lowest tender if payment is to be made by the Council, or the highest tender if payment is to be received by the Council, shall not be accepted until the Council is satisfied that it has met all its statutory obligations and that the accepted tender provides best value for the community; this shall be recorded in the minutes.

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

- (f) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is

to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

- (g) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk or Deputy Clerk only in the presence of such Members of the Council as have been designated for the purpose by the Council or by the Committee to which the power of making the contract to which the tenders relate has been delegated. Where tenders have been opened in pursuance of this paragraph they shall be recorded in a book kept specifically for the purpose, signed as correct by all those present, dated and reported to the next meeting of the appropriate Committee.
- (h) If less than three tenders are received for contracts above £15,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- (i) Any invitation to tender issued under this regulation shall contain a statement to the effect of Standing Orders 50 and 53.
- (j) When it is to enter into a contract less than £15,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall strive to obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £2,000 and above £200 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- (k) The Council shall not be obliged to accept the lowest or any tender, quote or estimate.

11.2 There shall be inserted in every written contract, a clause empowering the Council to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation if the contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to the obtaining or execution of the contract with the Council; or for showing, or forbearing to show, favour or

disfavour to any person in relation to the contract or any other contract with the Council; or, if the like acts shall have been done by any person employed by him/her or acting on his/her behalf (whether with or without the knowledge of the contractor) or if in relation to any contract with the Council, the contractor, or any person employed by him/her or acting on his/her behalf shall have been committed any offence under relevant legislation including the Prevention of Corruption Acts 1889 to 1916, or shall have given any fee or reward the receipt of which is an offence under section 117(2) of the Local Government Act 1972.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

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

13 STORES AND EQUIPMENT

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

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

14 ASSETS, PROPERTIES AND ESTATES

- 14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The RFO shall ensure a record is maintained of all properties owned by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2 No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 14.3 No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing 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).
- 14.4 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15 INSURANCE

- 15.1 Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- 15.2 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.3 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to Council at the next available meeting.
- 15.4 All appropriate 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 by the Council.

16 CHARITIES

- 16.1 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.

17 RISK MANAGEMENT

- 17.1 The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 17.2 When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.
- 17.3 The Council shall carry out a Financial Risk Assessment on an annual basis in accordance with the Accounts and Audit Regulations 2003 and 2006 and any subsequent amendments thereto. The minutes shall record such review of the financial risks.
- 17.4 A printed copy of these Financial Regulations shall be given to each Member of the Council. An up to date copy of the publication 'Governance and Accountability a Practitioners Guide' shall be made available for reference on request to any Member by the Town Clerk at the Town Council office.

18 REVISION AND SUSPENSION OF FINANCIAL REGULATIONS

- 18.1 It shall be the duty of the Council to review the Financial Regulations of the Council every year. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these financial regulations.

- 18.2 The council may, by resolution of the council 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 drawn up and presented in advance to all members of council.

APPENDIX 3

Camborne Town Council Scheme of Delegation

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), Standing Committees and Sub-committees of the Council to act with delegated authority in the specific circumstances detailed.

1. Responsible Financial Officer

1.1 The Town Clerk shall be the Responsible Financial Officer to the Council and shall be responsible for the Town Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.

2. Proper Officer

2.1 The Town Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- (a) Receive declarations of acceptance of office;
- (b) To retain a copy of every Councillor's register of interests;
- (c) Receive and retain plans and documents;
- (d) To sign Notices or other documents on behalf of the Council;
- (e) Receive and retain copies of By-laws made by Cornwall Council;
- (f) Certify copies of By-laws made by the Council and other such orders as adopted by the Council;
- (g) Sign summonses to attend meetings of the Council;
- (h) To keep proper records for all meetings, and
- (i) To receive from Cornwall Council's Monitoring Officer any documents in relation to Complaints received under The Members' Code of Conduct and report this at the next convenient meeting of the Council.

2.2 In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- (a) The day to day administration of services, together with routine inspection and control.
- (b) Day to day supervision and control of all staff employed by the Council.

- (c) Authorisation of routine expenditure within the agreed budget.
 - (d) Authorise training or attendance at Conferences as agreed within budget.
 - (e) Emergency expenditure up to £1,000 outside of the agreed budget subject to immediate report back to the next meeting of the appropriate Committee or Council.
- 2.3 Delegated actions of the Town Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.

3. Council

- 3.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration.
- (a) The Power of raising loans and setting the Precept;
 - (b) The power of incurring capital expenditure not specifically included in the Council's approved estimate of expenditure for the time being;
 - (c) The appointment to or co-option on a Committee or Sub-Committee of a person (on a strictly non-voting basis) who is not a Member of the Council or the Committee;
 - (d) Standing Orders, Financial Regulations, the Scheme of Delegation, and the functions and constitution of Committees and Sub-Committees;
 - (e) Dates of meetings of the Council;
 - (f) Appointment or nomination by the Council of persons to fill vacancies on outside bodies arising during the Council year;
 - (g) Filling of vacancies occurring on any Committee of the Council during the Council year;
 - (h) The appointment or dismissal of the Town Clerk;
 - (i) Agreement to take on new, including devolved services, subject in all cases to a fully-costed Business Plan to be recommended by Finance and General Purposes Committee;
 - (j) Prosecution or defence in a court of law, and

- (k) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a committee.

4. Powers and Duties of Standing Committees

4.1 Subject to the foregoing, and to observance of decisions of the Council on matters of principle or policy, all the Council's powers and duties shall be delegated to the Standing Committees in accordance with the following terms of reference unless otherwise specified. The acts and proceedings of a Committee shall:

- (a) where they are delegated to the Committee, so far as is legally permissible be deemed the acts and proceedings of the Council;
- (b) as regards other matters, be subject to confirmation by the Council, and when confirmed shall be deemed the acts and proceedings of the Council;
- (c) in all respects be subject to the provisions of the Council's Standing Orders and Financial Regulations except as otherwise determined by the Council.

4.2 The Council may at any time without prejudice to executive action already taken revoke any executive power delegated to a Committee.

5. Finance and General Purposes Committee

5.1 The **Finance and General Purposes Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- (a) Ensuring the Annual Return (Statement of Accounts) is completed in accordance with requirements and recommend to Council accordingly;
- (b) All other matters relating to Finance, including budget monitoring;
- (c) All matters relating to internal and external audit;
- (d) Insurances;
- (e) Grants and Donations, except any that fall within the purview of Amenities Committee – for environmental initiatives for example;
- (f) To make recommendations to Council on the Budgets of all Standing Committees;
- (g) All matters relating to Personnel/Human Resources. This Committee may decide that it wishes to refer such

matters to the Council for final decision, subject to the matters reserved for final decision for legal reasons;

- (h) General Administration;
- (i) Matters of Democratic Representation;
- (j) Governance and Corporate Management;
- (k) All issues in relation to the Council offices including legal, maintenance and repair;
- (l) Partnership Working;
- (m) Civic Activities/Local Democracy;
- (n) Council Communications and Information Services;
- (o) Any other matter which may be delegated to it by the Council from time to time.

5.2 Committee may refer specific matters to the Council for a final decision if it so wishes.

5.3 In respect of personnel and human resources matters it is vital that the Finance and General Purposes Committee, through the Staffing Working Party as appropriate, keeps confidential its deliberations and decisions in cases of Grievance, Disciplinary and Capability hearings, because if an Appeal against a decision is received it must, legally and in the interests of fairness, be heard again by elected members with no prior knowledge of the case.

5.4 In order to ensure as far as possible that such matters as Appraisal, Grievance, Disciplinary and Capability issues are dealt with professionally and in accordance with Employment legislation, all members of any sub-committees set up to deal with such matters must agree to undertake training in these matters.

6. Amenities Committee

6.1 The Amenities Committee

- (a) The provision of handyman services and all issues relating to the Handyman store/workshop;
- (b) Dealing with the provision and maintenance, as appropriate, of street furniture and Town Council public owned facilities including the public clock, town square, public seats, bus shelters, public notice boards, salt and grit bins and war memorials for example;
- (c) Dealing with the provision and maintenance of allotments;

- (d) The co-ordination and direction of the Council's environmental improvement program; including summer planting, Camborne in Bloom and related initiatives;
- (e) Devolved and other services, including parks/recreation grounds, public open spaces, public conveniences, car parking, and burial services subject to policy determination on acceptance of such services resting with Council;
- (f) The provision of agency services for Cornwall Council including public footpaths and verge maintenance;
- (g) Co-ordination of any Town Council community safety initiatives including the local provision of CCTV;
- (h) The making of recommendations to the Finance & General Purposes Committee regarding matters relating to the Town Council's staff engaged on community handyman services;
- (i) Approval of environmental and community grants from within approved budgets;
- (j) Provision and organization of a Camborne events program, including Christmas activities, and
- (k) Any other matter which may be delegated to it by the Council from time to time.

7. Planning and Development Committee

7.1 The **Planning and Development Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- (a) The making of representations to the Local Planning Authority on applications for planning permission which have been notified in accordance with relevant legislation;
- (b) The making of representations in respect of appeals against the refusal of planning permission;
- (c) The consideration of any pre-application consultations;
- (d) The making of representations regarding street naming;
- (e) To consider and monitor all developmental plans and heritage initiatives which impact upon Camborne and the making of all appropriate representations;
- (f) All issues relating to the Townscape Heritage Initiative and its approved budget;

- (g) The facilitation of economic development initiatives, including those pertaining to Town Centre matters, for the benefit of Camborne and the making of representations on all related matters and liaison as appropriate with other agencies;
- (h) The making of representations in respect of any highways consultations;
- (i) The making of representations in respect of any licensing matters, and
- (j) The making of representations to the appropriate Planning Authority in respect of other planning matters not otherwise referred to in Terms of Reference (a) - (h) above.

8. Sub Committees

- 8.1 Every Committee may appoint Sub-Committees whose terms of reference and members shall be determined by the parent Committee as identified in Standing Orders. The Chairman and Vice-Chairman of the Committee shall be members of every Sub-Committee appointed by it unless they signify that they do not wish to serve.

9. Working Groups/Parties

- 9.1 Working Groups/Parties may be formed by resolution of the Council or a Committee at any time. The work of such a Working Group/Party will be decided upon at the time it is formed by means of a Minute detailing the Terms of Reference. Each Working Group/Party will report back with recommendations to the Council or the Committee that formed it. The Working Group will be disbanded by resolution of Council or the parent Committee to which it reports once it has completed its agreed objectives.

10 Delegation – Limitations

- 10.1 Committees, Sub Committees and Working Parties shall, at all times, act in accordance with the Councils Standing Orders, Financial Regulations and this Scheme of Delegation and, where applicable, any other rules, regulations, schemes, statutes, By-laws or orders made and with any directions given by the Council from time to time.