



POYNTON WITH WORTH TOWN COUNCIL

STANDING ORDERS

AND

FINANCIAL REGULATIONS STANDING ORDERS

January 2017

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NOTES

Standing orders that follow in **BOLD type** are statutory orders referring, inter alia, to the Local Government Act 1972 and the Local Authorities (Model Code of Conduct) Order 2007.

References to 'Council' mean Poynton Town Council.

Where standing orders refer to 'Town Council Meetings', this also refers to all committees and sub-committees.

References to the Mayor should be read to include the Chairman of all committees and sub-committees.

POYNTON-WITH-WORTH TOWN COUNCIL

STANDING ORDERS

PART A – COUNCIL

MEETINGS

1. Meetings of the Town Council and standing committees shall normally be held in the Council Chamber at the Civic Hall at 8pm in the evening, but the time and/or venue may be varied at the discretion of the Town Clerk or Committee Chairman.
Meetings will terminate by **10.00pm** at the latest.
At the Chairman's discretion meetings with a long agenda may have an earlier start.
2. **THE STATUTORY ANNUAL MEETING OF THE TOWN COUNCIL –**
 - a) **IN AN ELECTION YEAR SHALL BE HELD ON THE FOURTH DAY AFTER THE ELECTION OR WITHIN FOURTEEN DAYS THEREAFTER;**
 - b) **IN OTHER YEARS, SHALL BE ON SUCH A DAY IN MAY AS THE COUNCIL MAY DECIDE.**
3. a) Ordinary meetings of the Council shall be held regularly throughout the year, with the exception of August, unless required for urgent business.

b) **THE NUMBER OF SUCH ORDINARY MEETINGS SHALL IN ANY CASE BE NO LESS THAN THREE IN ANY YEAR.**
4. **THE CHAIRMAN OF THE COUNCIL MAY CONVENE AN EXTRAORDINARY MEETING OF THE COUNCIL AT ANY TIME.**
5. a) **IF THE CHAIRMAN OF THE COUNCIL DOES NOT OR REFUSES TO CALL AN EXTRAORDINARY MEETING OF THE COUNCIL WITHIN 7 DAYS OF HAVING BEEN REQUESTED TO DO SO BY TWO COUNCILLORS, THOSE TWO COUNCILLORS MAY CONVENE AN EXTRAORDINARY MEETING OF THE COUNCIL. THE STATUTORY PUBLIC NOTICE GIVING THE TIME, VENUE AND AGENDA FOR SUCH A MEETING MUST BE SIGNED BY THE TWO COUNCILLORS.**

b) ChALC interpretation of 6th February 2013: "The LGA 1972 Schedule 12 9(2) states '... or if, without so refusing, the Chairman does not call an extraordinary meeting within seven days after such a requisition has been presented to him ...' . The interpretation of this is that the meeting should be called within 7 days, while giving the requisite amount of notice for the

meeting i.e. 3 clear days. This provision is to assist with dealing with 'extraordinary' matters i.e. pressing matters. It is not an 'additional' meeting."

Such meetings are to be held within 14 days of the requisition.

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

CHAIRMAN OF MEETING

8. **a) 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.**

b) If present at a Town Council, the Town Mayor must preside, and has control of its procedure for the purpose of enforcing the law and good order. He must prevent decisions being taken on matters which are not on the agenda, but he cannot stop discussion of subjects properly brought up nor, if matters on the agenda remain to be settled, will his departure of itself bring proceedings to an end. (Arnold Baker, 9th Edition, para. 8.3, p. 73).

QUORUM

9. **a) AT LEAST ONE THIRD OF THE MEMBERS SHALL CONSTITUTE A QUORUM.**

b) A motion to suspend a standing order or discuss a matter affecting an employee of the Council (SO 35) shall not be moved without notice unless at least two-thirds of the Members are present (SO26 n) to r), SO76).

10. If a quorum is not present when the Council or any of its Committees meet, or if during the meeting the number of Councillors present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or at an extraordinary meeting as the Town Mayor or Committee Chairmen may arrange.

VOTING

11. **MEMBERS SHALL VOTE BY SHOW OF HANDS.**
12. **IF ANY MEMBER SO REQUIRES, THE CLERK SHALL RECORD THE NAMES OF THE MEMBERS SO AS TO SHOW WHETHER THEY VOTED FOR OR AGAINST THE MOTION OR QUESTION, OR ABSTAINED FROM VOTING.**

Such a request for the recording of votes must be made before a vote is taken.

13. **a) EXCEPT AS STATED IN SECTION c) BELOW, THE TOWN MAYOR OR OTHER PERSON PRESIDING MAY GIVE AN ORIGINAL VOTE EVEN IF BY SO DOING HE OR SHE CREATES AN EQUALITY OF VOTES.**

b) IN THE CASE OF AN EQUALITY OF VOTES THE PERSON PRESIDING SHALL HAVE A SECOND OR CASTING VOTE.

c) IF THE PERSON PRESIDING SHALL CEASE TO BE A MEMBER OF THE COUNCIL AFTER THE ELECTION OF A TOWN MAYOR, HE OR SHE MAY NOT VOTE IN THE ELECTION BUT HAS A CASTING VOTE IN THE EVENT OF AN EQUALITY OF VOTES. THE CASTING VOTE MUST BE USED IN THE ELECTION OF THE TOWN MAYOR.

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

ORDER OF BUSINESS

15. At the Annual Meeting of the Town Council the first business shall be:
 - a) **TO ELECT A CHAIRMAN, WHO SHALL BE STYLED TOWN MAYOR;**
 - b) **TO NOTE THE TOWN MAYOR'S DECLARATION OF ACCEPTANCE OF OFFICE;**
 - c) To Elect a Vice-Chairman, who shall be styled Deputy Town Mayor;
 - d) **IN AN ELECTION YEAR TO NOTE MEMBERS' DECLARATIONS OF ACCEPTANCE OF OFFICE;**

e) **IN A YEAR OTHER THAN AN ELECTION YEAR, TO NOTE SUCH DECLARATIONS OF ACCEPTANCE OF OFFICE (IF ANY) AS ARE REQUIRED BY LAW TO BE MADE;**

f) To appoint representatives to outside bodies;

g) To appoint statutory or standing committees and elect Chairmen and Vice-Chairmen of such appointed committees;

h) To inspect any deeds and trust instruments in the custody of the Council.

16. The Member elected Deputy Town Mayor of the Council shall be Town Mayor-designate, subject to said person being duly proposed, seconded and elected at the next Annual Town Council Meeting.

Thereafter the order of business shall be as set out in SO 15 unless the Council otherwise decides on the grounds of urgency.

17. **AT EVERY MEETING THE FIRST BUSINESS SHALL BE THE APPOINTMENT OF A CHAIRMAN IF THE TOWN MAYOR AND DEPUTY TOWN MAYOR BE ABSENT.**

AFTER THE FIRST BUSINESS HAS BEEN COMPLETED, THE COUNCIL SHALL NOTE SUCH DECLARATIONS OF ACCEPTANCE OF OFFICE (IF ANY) AS ARE REQUESTED BY LAW TO BE MADE.

Thereafter the order of business shall be as set out in SO 15 unless the Council otherwise decides on the grounds of urgency.

18. a) To receive such communications as the presiding Town Mayor may wish to lay before the Council;

b) To read and consider for accuracy Council 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;

c) AFTER CONSIDERATION TO APPROVE THE SIGNATURE OF THE MINUTES BY THE PRESIDING TOWN MAYOR AS A CORRECT RECORD;

d) TO DEAL WITH BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE DONE;

e) To dispose of business, if any, remaining from the last meeting;

f) Format of words to be used by all Chairmen:

To receive and note the adoption of the minutes of committees and the resolutions contained therein;

g) To change statutory or standing committees and if necessary to elect a Chairman and Vice-Chairman of such committees;

h) To receive and consider reports from officers of the Council;

i) To consider motions in the order in which they have been notified;

j) To authorise the sealing of documents (SOs 62/63);

k) Any other business specified in the summons;

19. No item of business may be considered at a meeting unless;

a) It has been included on the agenda for the meeting, which agenda shall have been available for inspection at least three clear working days prior to the meeting. With the agreement of the Town Mayor or Committee Chairmen, any elected Councillor may add an item to the agenda of the Town Council or any named committee respectively, regardless of whether they are a member of that committee. If the Mayor or Committee Chairman does not agree to this, any item, with the support of two further Councillors, may be added to an agenda but this must allow three clear working days.

b) Recommendations arising from resolutions passed at committee meetings and requiring ratification by the Town Council shall automatically be included in the agenda for the next ordinary meeting of the Town Council.

c) The meeting is convened at shorter notice when the agenda should then be available from the time the meeting is convened.

d) WHERE AN ITEM DOES NOT CONFORM TO SECTION a) OF THIS STANDING ORDER, AND THE TOWN MAYOR SO RULES, AND THERE IS A SPECIFIC RESOLUTION TO THIS EFFECT, THAT AN ITEM OF "OTHER BUSINESS" SHALL BE CONSIDERED AS A MATTER OF URGENCY. IN SUCH A CASE THE MINUTES MUST RECORD THE SPECIAL REASONS JUSTIFYING THE DECISION.

e) For standing committee meetings, where an item does not conform to section a) of this standing order, and the Committee Chairman so rules, and there is a specific resolution to this effect, that an item of "Other Business" shall be considered as a matter of urgency. In such a case the minutes must record the special reasons justifying the decision.

Any written reports or briefs included in a meeting agenda should be issued with that agenda, and not issued separately by e-mail, by post or at the

meeting concerned (but see also standing order 19 c) and d) above, and paragraphs 19, 20 and 21 in Appendix A).

f) Agendas and supporting reports may be circulated by email or other electronic systems, subject to the right of each member to request delivery in printed form to their home address. If no such preference is expressed, the Clerk may circulate via email as the default system. The requirement in standing order 19 (a) above that an agenda must be circulated at least three clear working days prior to the meeting shall apply to both methods of circulation.

MOTIONS MOVED ON NOTICE

20. Except as provided by these standing orders, no motion may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least six clear days (excluding the day of delivery and the day of the meeting) before the next meeting of the Council.
21. The Clerk shall insert in the summons for every meeting all notices of motion properly given in the order in which they have been received unless the Member giving such a notice has stated in writing that he intends to move his motion at some later meeting or that he withdraws it.
22. If a motion 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.
23. If the subject matter of a motion comes within the province of a committee of the Council, it may, 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 Town Mayor may allow it to be dealt with at the meeting at which it was moved.
24. Every motion shall be relevant to some question over which the Council has power or which affects the Town.

MOTIONS MOVED WITHOUT NOTICE

25. A motion to vary the order of business on the grounds of urgency, or as a courtesy to others present, may be proposed by the Town Mayor or any member without notice and, if proposed by the Town Mayor, or member, and seconded, must be put to the vote.
26. Motions 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 adopt the minutes;
 - d) To invite a member of the Council having an interest in the subject matter under debate to remain;
 - e) To amend a motion;
 - f) To give leave to withdraw a motion or an amendment;
 - g) To extend the time limit for speeches;
 - h) To proceed to the next business;
 - i) To close or adjourn the debate;
 - j) To refer a matter to a committee;
 - k) To adopt a report;
 - l) To appoint a committee or any Members thereof;
 - m) To authorise the sealing of documents (SO 62/63);
- (The following motions are governed as to quorum by SO 9);
- n) To consider otherwise than in committee a question affecting an employee of the Council (SO 35);
 - o) To suspend standing orders (SO 9b, SO 74);
- (The following motion is governed by SOs 69, 70, 71 on the admission of the public and press to meetings);
- p) to exclude the press and public;
 - q) To silence or eject from the meeting a Member named for misconduct;
 - r) To give the consent of the Council where such consent is required by these standing orders.

RULES OF DEBATE – TOWN COUNCIL MEETINGS

27. A Member shall stand when speaking unless permitted by the Town Mayor to sit on account of infirmity
28. a) The ruling of the Town Mayor on the point of order or on the admissibility of a personal explanation shall not be discussed;
b) Members shall address the Town Mayor;
c) Members shall by show of hands indicate that they wish to speak, and shall be called to speak by the Town Mayor;
d) Whenever the Town Mayor rises during a debate all other Members shall be seated and silent.

COUNCIL MEETINGS

29. a) The Clerk shall be responsible for preparing minutes of all meetings of the Town Council and its committees. These shall accord in style, content and form with good practice as described in Appendix A to these standing orders. This does not mean that the Clerk must personally take the minutes. This task can be delegated by the Clerk or Committee Chairman.
b) Except as provided in section d) of this standing order, no discussion shall take place upon the minutes of the Council and its committees except upon their accuracy. Updates or matters arising are therefore not permitted.
c) Procedure – minutes to be discussed for accuracy before resolution. Corrections to the minutes must be made by resolution.
d) A resolution must be moved to adopt part only of the minutes or report of a standing committee. In that case the part or parts **not** included in the resolution to adopt shall be the subject of a separate and **prior** resolution in which the mover must state his/her reasons before moving:-
 - (i) that the part or parts be referred back, without discussion, to the relevant standing committee for further consideration;

OR

 - (ii) be referred, without discussion, to the Finance & General Purposes Committee (if that committee is not the standing committee involved) for wider consideration;

OR

(iii) PROVIDED THAT A DECISION THAT (i) AND (ii) ARE NOT FEASIBLE BECAUSE OF URGENCY IS FIRST APPROVED BY RESOLUTION BY AN ABSOLUTE MAJORITY OF THE MEMBERSHIP, THEN THE PART OR PARTS MAY BE DISCUSSED IMMEDIATELY AND A DECISION TAKEN BY RESOLUTION.

30. a) A motion or amendment is not to be discussed unless it has been proposed and seconded and, unless proper notice has already been given, it shall, if required by the Town Mayor, be put in writing and handed to him before it is further discussed or put to the meeting.
- b) The mover of a motion or of an amendment shall have a right of reply.
- c) A Member when seconding a motion or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- d) A Member, other than the mover of a motion or of an amendment, shall not, without leave of the Council, speak more than once on any motion or amendment except on a point of order, or in personal explanation, or in accordance with paragraph (m).
- e) A Member may make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.
- f) A Member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- g) No speech shall exceed ten minutes in the case of a mover of a motion and five minutes in all other cases except by consent of the Council.
- h) 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 words.
- i) An amendment shall not have the effect of negating the motion before the Council.

j) If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

k) A further amendment shall not be moved until the Council has disposed of an amendment previously moved.

l) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion, once Council 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 resolution;
- (ii) to proceed to the next business;
- (iii) to adjourn the debate;
- (iv) that the question be now put;
- (v) that a Member named be not further heard [SO 36];
- (vi) that a Member named do leave the meeting [SO 36];
- (vii) that a resolution be referred to a committee;
- (viii) to exclude the press and public [SO 69, 70, 71];
- (ix) to adjourn the meeting.

31. A Member may, with the consent of his seconder, move amendments to his own motion.

32. The mover of a motion shall have a right to 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 a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

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

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

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

VARIATION OR RESCISSION OF PREVIOUS RESOLUTION

34. a) A decision of the Council shall not be varied or rescinded within six months, save by a special resolution, the written notice of motion whereof bears the signatures of at least twelve Members of the Council.
- b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

(This SO is governed as to quorum by SO 9b)

35. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of any person employed by the Council, it shall not be considered by the Council until the

Council has decided whether or not the public and press shall be excluded
(See SOs 69, 70, 71)

DISORDERLY CONDUCT

36. a) No Member shall conduct him/herself at a meeting by persistently disregarding the ruling of the Town Mayor, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- b) If, in the opinion of the Town Mayor, a Member has so conducted him/herself, the Town Mayor shall express that opinion to the Council and thereafter any Member may move that the Member named be no longer heard or that the Member named do leave the meeting and the motion, if seconded, shall be put forthwith and without discussion.
- c) If either of the motions stated in paragraph b) is disobeyed, the Town Mayor may suspend the meeting or take such further steps as may reasonably be necessary to enforce it.

DISTURBANCE BY MEMBERS OF THE PUBLIC

37. If a member of the public interrupts the proceedings at any meeting the Town Mayor shall warn him or her. If they continue the interruption, the Town Mayor may adjourn or suspend the meeting to restore order.

RIGHTS OF THE PUBLIC TO SPEAK/RECORDING AND FILMING OF MEETINGS

38. a) At a meeting of the Council, or Council committee, the Town Mayor or Chairman at his or her discretion may allow Members of the public to address the meeting in relation to the business being transacted or, at the discretion of the Chairman, on matters within the remit of the committee.
- b) Members of the public may make representations, answer questions and give evidence relating to the business being transacted, but such inputs will be restricted to a single session **of five minutes** for each side of the debate or not more than a total of five minutes if only one speaker.
- c) If there are several members of the public wishing to speak on the same business, the Chairman will ask the public to select a maximum of three speakers only. This can be varied at the discretion of the Town Mayor.

d) ON THE BASIS OF THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014 A PERSON OR MEMBER MAY NOT ORALLY REPORT OR COMMENT ABOUT A MEETING AS IT TAKES PLACE IF HE/SHE IS PRESENT AT THE MEETING OF THE TOWN COUNCIL OR ITS COMMITTEES BUT OTHERWISE 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.

Those engaging in any of the above activities must be afforded reasonable facilities to permit them to do so, but in doing so they must not disrupt the meeting in any way. The above activity is not permitted on those occasions when Members of the public would normally be excluded from meetings on the basis of standing order 71.

An agenda item regarding the recording of meetings should be added to every Town Council, committee or sub-committee meeting. As a matter of courtesy to everyone attending Council or committee meetings, those present, be they Councillors, officers or members of the public, will be asked to declare to the meeting if they are, or are intending to, make an audio recording/film the meeting. If so they will be afforded the facility to do so subject to the conditions set out in the above paragraph.

CODE OF CONDUCT AND DISPENSATIONS

39. a) All Councillors and non-Councillors with voting rights shall observe the code of conduct adopted by the Council (see Appendix B)
- b) Unless he/she has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c) Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.

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

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

f) A dispensation request shall confirm:

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

g) Subject to standing orders 39 d) and (f) above, dispensation requests shall be considered at the beginning of the meeting of the Council, or committee or a sub-committee for which the dispensation is required.

h) A dispensation may be granted in accordance with standing order 39(e) above if, having regard to all relevant circumstances, the following applies:

- (i) without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or
- (ii) granting the dispensation is in the interests of persons living in the council's area or
- (iii) it is otherwise appropriate to grant a dispensation.

ROLE OF THE TOWN MAYOR

General

40. a) The Mayoralty (or Chairmanship of the Council) is the most exalted position within the gift of the Council. Officers and Members must, at all times, respect the Mayor and show deference to his office. Throughout this

code of practice the word 'his' is not gender specific. As Chairman of the Council his authority is derived from the Local Government Act of 1972, Section 3.

b) The Town Mayor (henceforth referred to as 'the Mayor'), supported by the Deputy Town Mayor, will perform the Council's civic role. This includes raising and maintaining the profile of Poynton and its citizens and attending civic and ceremonial functions, including events organised by other councils and organisations.

Selection of the Mayor

c) The Mayor will be selected by a vote at the Annual Town Council Meeting. If a mayoral vacancy occurs during the course of the year then a new mayor will be selected by vote at the next full council meeting.

Duties

d) In the Mayor's capacity as the Civic Head, or First Citizen, the Mayor should officiate at all formal civic events involving the Council, the public and media. In the absence of the Mayor, the Deputy Mayor should officiate, or at the Mayor's discretion, the appropriate Committee Chairman. The role of the Town Mayor in the charring and general conduct of Council meetings is defined above (see especially standing orders 4, 5, 8, 10, 13, 15, 17, 18, 19, 20, 23, 25, 27, 28, 30, 33, 36, 37 and 38). The Town Mayor, with advice from the Clerk, is responsible for upholding and interpreting these standing orders. In the event of any serious disagreement in how they should be interpreted, the Clerk must refer the matter to the Borough Solicitor of Cheshire East Council for a decision.

e) Acceptance of invitations. The Mayor shall promote public interest and involvement in the Council's activities and act as a facilitator between members of the public and other organisations and the Council. It is therefore the wish of the Council that the Mayor should accept as many invitations as possible, in order to attend events and functions to which he has been invited and that the services of the Deputy Mayor should also be used in the event of competing invitations being received. Normally the Mayor is expected to accept the first invitation received for a particular time and date. The Mayor's engagement diary will be kept by the Clerk.

f) The Deputy Mayor. The role of the Deputy Mayor should be one of support to the Mayor in fulfillment of civic engagements and in the absence of the Mayor preside at Council meetings.

g) Indisposition of the Mayor/Deputy Mayor. In the event that, due to the indisposition for whatever reason the Mayor could not reasonably be asked to fulfill the normally accepted duties of his post, the Deputy Mayor will be

requested, for that period of time, to assume the full duties of the post of Mayor, but will not take the title.

Civic ceremonial and procedure

h) Former Mayors will be presented with a medallion as a memento of their office at the Annual Council Meeting when the new Mayor is elected, or at other times as the Mayor directs.

i) Preferential arrangements should be made at the Annual Town Council Meeting and on Civic Sunday for former Mayors.

j) The list of invitations to the Civic Service will be examined annually and extended or amended as necessary. Invitations should be sent in the name of the Mayor.

k) Mayoral regalia. The Mayor and Deputy Mayor should wear the chain and badges of office on all formal occasions within the Borough of Cheshire East. At meetings of the Council, the Mayor and Deputy Mayor should be smartly and conservatively dressed, and their chains and badges of office worn from the commencement of the meeting.

l) Mayoress or Consort and Deputy Mayoress or Consort. There is no legal status for these offices, the appointments being made on the invitation of the Mayor and Deputy Mayor respectively. In the case of persons other than relatives being proposed to appointments these will be at the discretion of the M&E Committee.

m) Mayor's Chaplain. The Mayor's Chaplain is the spiritual adviser, and maybe appointed by the Mayor for the Mayor's period of office.

Controversial activities

n) Policy matters. The Mayor throughout his term of office must remain impartial in all matters of policy and must not be involved in the direction of affairs. Should matters be raised with him he should take no action other than to inform the Clerk, the Chairman of the M&E Committee or the appropriate Committee Chairman of the matter and facts. However, the Mayor may acknowledge receipt of the correspondence and reply, outlining the process to be taken. It is for them to choose whether to respond or not. The reply is to be sent in the name of the Town Mayor, who will sign it.

o) Media. All media enquiries should be made via the Clerk who will subsequently alert and brief the appropriate Committee Chairman, and it is for them to pass comment, or not.

p) Controversial matters. The Mayor must not become involved in activities of a controversial nature or which could bring the Council into disrepute. This includes the use of social media. Where the Mayor is confronted with a controversy or enquiries relating to a potentially controversial topic he must refer the matter to the Clerk and to the appropriate Committee Chairman. All media enquiries must be referred to the Clerk to the Council.

q) Political Events. The Mayor should take no active involvement in political events, particularly formal meetings. It would be a matter for the Mayor's discretion as to whether he attended social functions arranged by political parties, but if so attending should not attend as the Mayor but as a private individual.

r) Other Appointments. The Mayor should not be appointed as Chairman or Vice-Chairman of any committee or sub-committee of the Council. He may accept ex-officio positions with an outside organisation or body where his membership stems from his position as Mayor for the time being. He may attend the annual meeting or other special meetings of an outside organisation or body and may accept the position of patron or president, but should not become actively involved during his term of office.

Administration

s) The Clerk will be responsible for making all arrangements for the attendance of the Mayor and Deputy Mayor at any event and for ensuring that all administration relating to the Mayor's duties is completed in a timely and efficient manner.

t) Financial. The expenses for the Mayor, Deputy Mayor and Civic Events shall be reviewed annually and increased by an appropriate amount to cover inflation and any other agreed expenses. The civic events budget is controlled by the F&GP Committee and expenditure is subject to the approval of the Chairman of F&GP and the Clerk.

PART B - COMMITTEES AND SUB-COMMITTEES

41. The Council may at the Annual Meeting of the Town Council appoint statutory and standing committees. There shall be five such standing committees:

- Finance and General Purposes (F&GP)
- Facilities, Infrastructure and Economic Development (FIED)
- Planning and Environment (P&E)
- Community, Order & Public Safety (COPS)
- Management and Establishment (M&E)

The Council may at any other time appoint such other committees as are necessary, but subject to any statutory provision.

42. Each of the standing committees will have a written remit for the conduct of business under delegated powers. The remit will be subject to annual review. At the first round of committee meetings after the Annual Meeting of the Council the Clerk shall give all council Members a copy of the remit for each committee (see Appendix D – standing committees). The Council:

a) shall not appoint any Member of a committee so as to hold office later than the next Annual Meeting of the Town Council, and

b) may at any time dissolve or alter the membership of a Committee (but see SO 45 below).

43. Membership of the Management and Establishment Committee shall consist of:

- The Chairmen of the following committees: F&GP; FIED; COPS; and P&E. Where the same person is Chairman of more than one of the above Committees, the Vice-Chairman of one of these standing committees shall be a substitute member of the Management and Establishment committee in order to maintain numbers.
- Up to four other Members chosen by the Council.

44. As with all other committees, the Council will determine a written remit for the Management and Establishment Committee, but its role, in addition to any other duties and responsibilities as delegated by the Council, shall include matters relating to:

- The staff and workload of the Council;
 - The review of the Town Council's standing orders (see also SO 76);
 - Consideration of nominees for the annual Town Council Civic Awards.
45. The Chairmen and Vice-Chairmen of committees shall hold office until the next Annual Meeting of the Town Council. Chairmen and Vice-Chairmen may resign from office in writing to the Town Mayor and vacancies shall be filled at the next meeting of the Town Council. This will also apply to Members appointed as representatives of the Town Council to outside bodies. In the case of the Town Mayor, any resignation will be addressed to the Clerk. 'In writing' means that an e-mail is acceptable provided it is confirmed in a signed letter within five days.
 46. Should the Chairman and Vice-Chairman be absent from any meeting, the first business shall be the appointment of a Chairman of that meeting
 47. (LEFT BLANK)
 48. Every committee may appoint sub-committees for purposes to be specified by the committee. The Council and its committees and sub-committees may also appoint working groups for specified purposes. Minutes of each sub-committee will be submitted to the next meeting of the sponsoring committee. The remit of a working group will be limited to the production of a report to the sponsoring committee: they will not have power themselves to spend money or commit the Council to any course of action. With the approval of the parent committee, Members of sub-committees and working groups may co-opt non-elected individuals to serve with them. These co-opted individuals must respect and abide by the standing orders of the Town Council.
 49. The Chairman and Vice-Chairman of the committee shall be Members of every sub-committee appointed to it unless they signify that they do not wish to serve.
 50. Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-third of its Members or two, whichever is the greater.

MATTERS OF URGENCY

51. a) The Chairman and Vice-Chairman of the appropriate committee or sub-committee, together with another Councillor and in consultation with the Clerk, shall have power to deal with matters of urgency arising during the Summer recess which cannot stand over until the next ordinary meeting of the appropriate committee or sub-committee, or in the interval between

normal meetings of a committee or sub-committee where there are cogent reasons why a decision shall be made thereon before the next ordinary meeting. As an alternative, the Chairman and Vice-Chairman of the committee may instead refer matters of urgency to the Management and Establishment Committee for a decision.

If either the Chairman or Vice-Chairman is not available then another committee member may act as substitute.

b) Where action in pursuance of (a) above is taken, it shall be noted at the next ordinary meeting of the committee or sub-committee

52. The following standing orders shall apply to committee and sub-committee meetings insofar as they are appropriate:- S0s 11-13, 18, 19, 27-39. All references to the Town Mayor will, in cases of a committee, refer to the Chairman.
53. (LEFT BLANK)

SUBSTITUTES

54. Any Councillor may appoint another Councillor to attend in his/her place at a committee meeting by notifying the Clerk or committee Chairman before the start of the meeting. Substitute Councillors will have all the powers (including voting) and duties of any ordinary member of the committee, but will not be able to exercise any special powers or duties of the person for whom they are substituting.

If a councillor will be absent from the meeting and they have not appointed/selected a substitute then the Chairman may appoint/select a substitute.

NON-MEMBERS OF COMMITTEE

55. A Member who has proposed a motion which has been referred to any committee of which he is not a Member, shall be entitled to explain his motion to the committee, but shall not vote.
56. Members of the Town Council may attend any meeting of any standing committee, sub-committee or working group of which they are not Members.

Members attending under this standing order wishing to speak on a specific item shall be allowed to do so, at the discretion of the Chairman, but not vote.

MEMBERS' INTERESTS; CODE OF CONDUCT AND DISPENSATIONS

57. (LEFT BLANK)

CANDIDATES FOR COUNCIL APPOINTMENTS

58. If a candidate for any appointment under the Council is to his knowledge related to any Member of, or the holder of any office under, the Council he and the person to whom he is related shall disclose the relationship in writing to the Clerk.

A candidate who fails to do so shall be disqualified for such appointment and, if appointed, may be dismissed without notice.

The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a Member is disclosed, the standing orders on interests of Members in contracts and other matters shall apply.

The Clerk shall make known the importance of this standing order to every candidate.

59. Canvassing of a Member or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this sub-paragraph of this standing order to every candidate.

60. 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 appointment.

61. Standing orders Nos. 58, 59 and 60 shall apply to tenders as if the person making the tender was a candidate for an appointment.

PART C MISCELLANEOUS

SEALING OF DOCUMENTS

62. Any two Members of the Council may seal, on behalf of the Council, any document required by law to be issued under seal.
63. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution of full Council.

CLERK AS PROPER OFFICER

64. Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following matters, the Proper Officer shall be the Clerk;
 - a) To receive declarations of acceptance of office;
 - b) To receive registers of Members' interests;
 - c) To receive and retain plans and documents;
 - d) To sign notices or other documents on behalf of the Council;
 - e) To receive copies of byelaws made by Cheshire East Council;
 - f) To certify copies of byelaws made by the Council;
 - g) To sign summonses to attend meetings of the Council.

INSPECTION OF DOCUMENTS

65. A Member of the Council, if it is required for the purpose of carrying out his duties (but not otherwise), may inspect any document in possession of the Council, and if copies are available shall, on request, be supplied for the like purpose with a copy.
66. Members otherwise shall be permitted access to all information/papers other than exempt information applying to particular individuals.

INSPECTION OF LANDS AND PREMISES

67. No Member shall, in the name of the Council, inspect any lands or premises which the Council has the right or duty to inspect unless authorised to do so by the Council, or by the appropriate authorised committee.

INSPECTION OF MINUTES

68. **ALL MINUTES KEPT BY THE COUNCIL AND BY ANY COMMITTEE OR SUB-COMMITTEE SHALL BE OPEN FOR THE INSPECTION OF ANY MEMBER OF THE COUNCIL AND ANY ELECTOR DURING REASONABLE HOURS OF THE DAY. THE COUNCIL WILL COMPLY WITH THE DISCLOSURE REQUIREMENTS OF THE FREEDOM OF INFORMATION ACT (2000)**

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

69. **THE PUBLIC AND THE PRESS SHALL BE ADMITTED TO ALL MEETINGS OF THE COUNCIL AND ANY COMMITTEE OF THE COUNCIL. HOWEVER, THE COUNCIL, COMMITTEES AND SUB-COMMITTEES MAY TEMPORARILY EXCLUDE THE PUBLIC AND PRESS DURING A SPECIFIC ITEM OF BUSINESS BY RESOLUTION OF COUNCIL IN ACCORDANCE WITH SO 71**

70. **(LEFT BLANK)**

71. **a) AS REQUIRED BY THE L.G. ACT 1972 [AS AMENDED] THE PUBLIC AND PRESS WILL BE EXCLUDED DURING DISCUSSION OF ANY ITEM OF BUSINESS AT WHICH CONFIDENTIAL INFORMATION WOULD BE DISCLOSED IN BREACH OF THE OBLIGATION OF CONFIDENCE – SUCH INFORMATION BEING AS DEFINED BY SECTION 100 A(3):**

(i) Information provided by a government department on terms forbidding disclosure to the public, and

(ii) Information the disclosure of which is prohibited by or under any enactment or by the order of the Court

b) THE PUBLIC AND PRESS MAY BE EXCLUDED BY RESOLUTION WHEN “EXEMPT INFORMATION” AS SPECIFIED IN PART 1 OF SCHEDULE 12A OF THE L.G. ACT 1972 [AS AMENDED] WOULD BE DISCLOSED DURING A SPECIFIC ITEM OF BUSINESS, PROVIDED;

(i) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies;

(ii) that resolution states, by reference to the descriptions in Schedule 12A to the Local Government Act 1972, the description of exempt information giving rise to the exclusion of the public; and

(iii) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

In these circumstances, public access to reports, background papers and minutes will also be excluded.

Exempt information means information falling within the categories below (subject to any condition). The resolution must specify which of the following categories applies:

Category	Condition
1. Information relating to any individual	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
2. Information which is likely to reveal the identity of an individual.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information). “Financial or business affairs” includes contemplated, as well as past or current, activities.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Information within paragraph 3 is not exempt if it must be registered under; (a) the companies Act 1985; (b) the Friendly Societies Act 1974; (c) the Friendly Societies Act 1992; (d) the Industrial and Provident Societies Acts 1965 to 1978; (e) the Building Societies Act 1986 or

	(f) the Charities Act 1993.
<p>4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under the authority.</p> <p>“Labour relations matter” are as specified in the paragraphs (a) to (g) of section 218(1) of the Trade Unions and Labour Relations (Consolidation) Act 1992, i.e. matters which may be the subject of a trade dispute within the meaning of that Act or any dispute about any such matter.</p>	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
6. Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
7A. Information which is subject to any obligation of confidentiality.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in

<p>7B. Information which relates in any way to matters concerning national security.</p> <p>7C. Information presented to a panel or sub-committee of the Audit and Governance Committee, set up to consider any matter under regarding a failure to comply with code of conduct.</p>	<p>maintaining the exemption outweighs the public interest in disclosing the information.</p>
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- (b) Items held under SO 71 a) and b) require that minutes are to be kept confidential so as not to contravene the Data Protection Act 1998 Part 11 (Rights of Data subjects and others). This includes protecting personal data that if released may potentially cause damage or distress.

FACILITIES FOR MEDIA

72. The Clerk shall afford to the media reasonable facilities for reporting on any proceedings at which they are entitled to be present.

CONFIDENTIAL BUSINESS

73. No Member of the Council or of any committee or sub-committee shall disclose to any person not a Member of the Council any Town Council business declared to be confidential or exempt information by the Council, the committee or the sub-committee as the case may be, as defined in SO 71 a) and b).

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

74. Any standing order except orders Nos. 2, 3(b), 8, 9(a), 11, 12, 13, 15 (a,b,d,e), 17, 18 (c,d), 19, 29 (d.iii), 57, 68, 69, 70, 71, 76, may be suspended by resolution in relation to any specific item of business.
75. A motion proposed at a committee or sub-committee meeting to permanently vary or revoke a standing order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Town Council.
76. **A MOTION TO EFFECT A CHANGE IN OR MAKE AN ADDITION TO STANDING ORDERS MUST RECEIVE THE APPROVAL OF AT LEAST TWO-THIRDS OF THE MEMBERS.**

STANDING ORDERS TO BE GIVEN TO MEMBERS

77. A copy of these standing orders shall be given to each Member by the Clerk upon delivery to him of the member's declaration of acceptance of Office. Whenever the Standing Orders are changed by the Council, a copy of the revised standing orders shall be given or sent to each member. The standing orders may be distributed in electronic format, subject to the right of each member to request a printed copy.

LIAISON WITH CHESHIRE EAST COUNCILLORS

78. A notice of all meetings of the Council and standing committees shall be sent to all the Cheshire East Councillors for the Town. Only those Cheshire East Councillors who are also Members of the Town Council will be permitted to speak at meetings (SO 56).

PLANNING APPLICATIONS

79. The Clerk shall, as soon as it is received, enter in a register kept for the purpose the following particulars of every planning application notified to the Council:
- a) the date on which it was received;
 - b) the name of the applicant;
 - c) a summary of the nature of the application.

COMPLAINTS

80. a) The Town Council has an internal complaints procedure, which was approved and is reviewed by the Town Council. This deals with allegations of maladministration and misconduct regarding the standard of service, behavior, actions or lack of action by the Town Council, Members (see also b) below) co-opted members of working groups or council staff. A copy of the internal complaints procedure is at Appendix C.
- b) Any allegation of maladministration or misconduct by any elected Member or co-opted Member shall be dealt with either through the Town Council's internal complaints procedure or referred to the Monitoring Officer at Cheshire East Council. The latter option can be taken at any time.

c) If a complaint is made against the Town Mayor, in the first instance it should be dealt with under the internal complaints procedure as would apply to any other Councillor.

d) If the Town Mayor resigns from the Town Council or is disqualified from holding office as a Councillor, then he or she will be regarded as having also vacated the office of Mayor. This does not apply, as per section 15 (8) of the Local Government Act 1972, when the Town Mayor ceases to be re-elected as a Councillor at the regular elections, in which case he or she will remain in office until a successor is elected at the Annual Meeting of the Town Council.

e) In any vote on a complaint being dealt with through the internal complaints procedure, the Member who is the subject of that complaint shall be deemed to be conflicted, and therefore cannot vote. They may however remain in the meeting room throughout the proceedings, address the meeting in their own defence, take part in the debate and answer any questions.

TOWN MAYOR'S QUESTION TIME

81. a) Members of the public may ask questions of the Town Mayor relating to the business of the Council at Town Mayor's Question Time which shall precede all Town Council meetings, with the exception of the Annual Meeting of the Town Council. For the purposes of definition a questioner shall be a registered elector of the town of Poynton-with-Worth.

b) Question Time shall commence at 8.05 pm for a period of no more than 20 minutes. If no members of the public are present, or no members of the public wish to ask a question, the Town Council Meeting will commence at 8.05 pm.

c) When called on by the Town Mayor, the questioner should stand, give his/her name and address and put the question without any preamble or pre-statement.

d) The Town Mayor only will answer the question except where, at his/her discretion, the Town Mayor may call upon another Councillor to answer the question.

e) No supplementary questions or discussions will be permitted.

f) Where the Town Mayor cannot supply a complete answer, the question will be referred to the appropriate committee and a written answer subsequently supplied to the questioner by the Town Clerk.

ANNUAL TOWN ASSEMBLY

82. a) The Mayor of the Town Council, or in his/her absence, the Deputy Mayor of the Town Council, must preside if present. If not, the first business of the meeting shall be to elect a Chairman.
- b) All Town electors are entitled to attend and to vote. Non-electors may speak, with the consent of the meeting, but may not vote.
- c) The agenda shall include the following items:
- (i) town Mayor's Annual Report, including a brief summary from each of the standing committees;
 - (ii) financial statements of the Town Council or an indication when this will be available;
 - (i) accounts of parochial charities;
 - (ii) reports from Town Council's representatives to outside bodies;
 - (iii) reports from representatives of local organisations;
 - (iv) any other questions relating to Poynton Town matters.
- (Minutes of the previous Town Assembly to be made available to those present on demand.)
- d) Seating shall be informal, with only the Clerk seated beside the Town Mayor.

CORRESPONDENCE

83. The default position for all correspondence is electronic/email. Members should opt into this service in the first instance. This follows the Local Government (Electronic Communications) (England) Order 2015, which amended paragraph 10(2)(b) of schedule 12 to the Local Government Act, 1972.

Appendix A

Poynton Town Council

MINUTES OF MEETINGS

1. Minutes should be prepared in respect of each meeting of the Town Council, standing committees and sub-committees. The minutes of a Council or a committee meeting are a public record of the decisions of the Council and great care should be taken in their format and production. The minutes can be produced in court and other judicial processes as evidence of decisions of the Council, and they form part of the Council archives which must be preserved. Minutes should be:
 - as brief as is consistent with accuracy
 - precise and concise;
 - self-contained (i.e. complete in themselves and understandable without reference to other documents);
 - decisive (so that there is no doubt about the decision made);
 - record actions required.
2. Minutes should be produced in the house style with a clear heading containing the status of the meeting, the place and date. It is good practice to indicate the time the meeting starts and ends and any adjournments. Minutes should start with an alphabetical list of the Councillors present at the meeting.
3. Each minute should contain a heading clearly indicating what the minute is about, a narrative or text, as appropriate that briefly summarises what took place, and the decision. For many routine items, for example, commenting on planning applications, a narrative will not be necessary.
4. The narrative should be in the past tense (known as 'reported speech') and should include reference to any written reports submitted. The narrative should be in plain English using full sentences and appropriate grammar. It is not necessary to refer to individual speakers by name unless this is significant. It may be appropriate to record the fact that an applicant or an objector addressed the Council or committee on a planning application or that the Clerk, other Officer or an Officer of Cheshire East Council reported on a matter. The narrative should summarise points raised in debate on a sensitive matter. This can be done by bullet points.
5. Abbreviations should be avoided and acronyms only used after having written the title in full at the first mention.

6. The decision should be separately highlighted for ease of identification and words used to show that it is a decision, for example;

RESOLVED

- 1) **That----**
- 2) **That----**

7. The wording of the decision should be included in full. It is not normally necessary to note the name of the member moving and seconding a motion in the minutes or the fact that a vote was taken (unless a recorded vote is requested).
8. The order of the minutes will normally follow the order of the agenda.
9. Declarations of disclosable pecuniary or other interests must be carefully recorded in the minutes, naming the Councillor and indicating clearly which item the interest referred to, whether the interest is a disclosable pecuniary or other interest, giving the nature of the interest and, if the member left the meeting during the discussion, to note that, and decision on the item. For example:

26. DECLARATIONS OF DISCLOSABLE PECUNIARY OR OTHER INTEREST

The following declarations of interest were received:

Planning application for conservatory at 12 Smith Road, Firsttown

Cllr Green disclosed a pecuniary interest as the owner of land adjoining the development site. Cllr Green left the room during the discussion and decision on this matter.”

10. When a Councillor asks for votes to be recorded in the minutes (standing order 12), the minutes should record the names of Councillors voting for and against the matter or the individual Councillor's vote accordingly.
11. The Clerk should ensure that Councillors understand that decisions of Town Councils can be set aside by a court for procedural irregularity, which is why it is so important that the correct meeting procedures are followed and decisions accurately recorded.
12. Decisions to exclude the press and public should be fully recorded in the minutes, making it absolutely clear to which matter or part of it the exclusion applied and the grounds for doing so (standing order 71).

Minutes Production

13. Resolutions passed at a meeting take effect immediately and do not depend on the minutes being approved at the next meeting.
14. The minutes should be produced as quickly as possible after the meeting in order to circulate them to Members. It can be helpful for the Clerk or minute taker to provide a draft of the minutes for the Chairman and Vice-Chairman of the meeting. This is an opportunity to pick up any mistakes in the content or identify typing errors, but it is not to be used by the Chairman as a means of re-writing the minutes.
15. The draft minutes should be circulated to the Chairman and Vice-Chairman of the committee no later than 10 working days after the meeting. Should any member of the Town Council wish to receive the draft minutes they may request them. They do not become valid minutes until they are accepted as a correct record and signed by the Chairman at the next meeting. Minutes in draft form should therefore record that fact clearly (at the top and bottom) to the effect: "Minutes subject to approval at the next meeting" or by using a "draft" watermark.
16. The signed minutes should be carefully retained by the Clerk for the Council's archives. It is prudent to retain a separate set of signed minutes for public inspection and for reference at meetings or for other purposes. The end of the published minutes should include the fact of being signed by the Chairman and the date on which they were signed.
17. If changes are made to the minutes by the Council or committee before acceptance and signing, the wording changes should be recorded in the minutes of the meeting that agreed the changes and the original minutes must be amended to reflect the changes. The copy signed by the Chairman will contain the alterations, recorded in longhand, with the changes signed and dated.

Reports

18. The Council's decisions can be set aside by a court if due regard has not been had to relevant information or irrelevant considerations have been applied. Some matters may require Councillors to consider a variety of facts or documentation. It is becoming increasingly important that such information is provided to Members in advance of the meeting in the form of a report. Reports may be prepared by the Clerk or other employee. Reports may be made by a Member, for example when reporting back to the Council or committee on an event attended or research done at the Council's request.

19. Reports should be circulated at the same time as the agenda and be available to the public, unless they include confidential matters that would justify the exclusion of the press and public at the meeting, or relate to urgent matters that have recently come to light. This enhances the transparency of the Council's decision-making and improves local knowledge of its activities.
20. Subject to a resolution passed at the Town Council or committee meeting concerned, verbal reports may be permitted. In all such cases, the minutes of the meeting shall include a summary of the verbal report, in sufficient detail to make clear the basis on which the decision was taken.
21. It greatly improves the speed of handling business at a meeting if all the relevant information is made available to Members in a report that assists their grasp and deliberation of a matter before the meeting.

Appendix B

Poynton Town Council

CODE OF CONDUCT FOR MEMBERS

Poynton Town Council has adopted this code of conduct to promote and maintain high standards of conduct and underpin public confidence in the Town Council and its Members and co-opted Members.

The code has been adopted under section 27 of the Localism Act 2011, and is based on the following core principles of public life - selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It sets out general obligations about the standards of conduct expected of Members and co-opted Members of the Town Council, together with provisions about registering and declaring interests.

A. General obligations

Whenever you are acting as a member or co-opted member of this Council you must act in accordance with the following obligations:

Selflessness

1. You must act solely in the public interest and must never use or attempt to use your position improperly to confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, friends or close associates.

Integrity

2. You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

You should exercise independent judgment. Although you may take account of the views of others (including a political group), you should reach your own conclusions on the issues before you, and act in accordance with those conclusions.

Objectivity

3. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You should remain objective, listen to the interests of all parties appropriately and impartially and take all relevant information, including advice from the Council's officers, into consideration.

Accountability

4. You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your office, including by local residents.

Openness

5. a) You must be open and transparent where possible about your decisions and actions and the decisions and actions of your authority. You should be prepared to give reasons for those decisions and actions. You must not prevent anyone getting information that they are entitled to by law.

b) Where the law or the wider public interest requires it, you must not disclose confidential information or information to which public access is restricted.

“Confidential Information” should not be disclosed except in limited circumstances, for example:

- You have the consent of the person authorised to give it;
- You are required by law to do so;
- The disclosure is made on a confidential basis to a third party in order to obtain professional advice;
- You have satisfied yourself that the disclosure is in the public interest.

Honesty

6. a) You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties, and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests as set out in Section B below.

b) You must only use or authorise the use of the Town Council’s resources in accordance with the Council’s requirements. You must, when using or authorising the use by others of such resources, ensure that they are used for proper purposes only. Resources must not be used improperly for political purposes (including party political purposes) and you must have regard to any applicable local authority code of publicity made under the Local Government Act 1986

Respect for others

7. a) You must treat others with courtesy. You should engage with colleagues and staff in a manner that underpins mutual respect and courtesy, essential to good local government.

b) You must not do anything which may cause your Council to breach any equality laws.

c) You must not compromise or attempt to compromise the impartiality of anyone who works for, or on behalf of, the Council.

d) You must not bully any person, including other Councillors, officers of the Council or members of the public.

“Bullying” may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour and includes “cyber bullying”. It may happen once or be part of a pattern of behaviour. It can be contrasted with the legitimate challenges a member may make in challenging policy or scrutinising performance. You may challenge others as to why they hold their views but must take care to raise issues in the appropriate forum. Ideas and policies may be robustly criticised but individuals should not be subject to unreasonable or excessive personal attack.

Leadership

8. You must promote and support high standards of conduct when serving as member or co-opted member of the Council, by leadership and example, championing the interests of the community.

You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

Gifts and Hospitality

9. You must within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £100 which you have accepted as a member from any person or body other than the authority. The Clerk will place your notification on a public register of gifts and hospitality.

B Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your local authority’s Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse’s or civil partner’s, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your local authority’s Monitoring Officer of any disclosable pecuniary or non-pecuniary Interest which your Council has decided should be included in the register.

If an interest has not been entered onto the local authority’s register, then you must disclose the interest to any meeting of the Town Council and its

committees at which you are present, where you have a disclosable interest in any matter being **considered** and where the matter is not a 'sensitive interest'.

**A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.*

Following any disclosure of an interest not on the local authority's register, or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by your authority.

Extract from the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. The Secretary of State, in exercise of the powers conferred by sections 30 (3) and 235 (2) of the Localism Act 2011(1) makes the following Regulations 6 June 2012.

www.legislation.gov.uk/ukxi/2012/1464/schedule/made

- The following categories are disclosable pecuniary interests
- "M" denotes the relevant Elected Member

Schedule

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
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 M in

carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992⁽¹⁾.

Contracts

Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—
(a) under which goods or services are to be provided or works are to be executed; and
(b) which has not been fully discharged.

Land

Any beneficial interest in land which is within the area of the relevant authority.

Licences

Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

Corporate tenancies

Any tenancy where (to M's knowledge)—
(a) the landlord is the relevant authority; and
(b) the tenant is a body in which the relevant person has a beneficial interest.

Securities

Any beneficial interest in securities of a body where—
(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and
(b) either—

(i) the total nominal value of the

⁽¹⁾ 1992 c. 52.

securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

N.B. Any Member of Poynton Town Council who declares a disclosable pecuniary interest in an item of business should withdraw from the room at the appropriate juncture.

(This Code of Conduct was adopted by resolution at a meeting of Poynton Town Council on 10th September 2012)

Appendix C

Poynton Town Council's Internal Complaints Procedure

(English Law will take precedent over anything written below)

DEFINITION OF A COMPLAINT

For the purposes of the Town Council a complaint is defined as: *any expression of dissatisfaction about the standard of service, behaviour, actions or lack of action by the Town Council, Councillors, co-opted Members, or Council staff.*

What the complaints procedure will deal with:

The complaints procedure will deal with matters of maladministration and misconduct.

What the complaints procedure will not deal with:

- Complaints about decisions lawfully made by the Town Council in the conduct of its business;
- Complaints for which there is a legal remedy, or where legal proceedings are already in progress;
- Complaints about staff employment matters – the Town Council operates alternative procedures to deal with grievances from, or disciplinary matters against, staff.

THE PROCEDURE

The normal process will be:

1. **All complaints will be heard within 30 days of them being made and acknowledged.**
2. **The complainant will give all the details to the Chairman of the Management and Establishment (M & E) Committee, who will be obliged to introduce the complaint to the M & E Committee at the next scheduled meeting of that Committee for them to debate. Any proposal concerning the complaint will be carried by a majority vote.**
3. **If the M & E Committee fails to resolve the matter, or if the complainant is not satisfied, details of the complaint will be given to the next scheduled meeting of the Town Council. Any proposal concerning the complaint will be carried by a majority vote.**

4. **If the complaint is again unresolved, and the complainant not satisfied, then the complaint will be referred to the Monitoring Officer at Cheshire East Council (this part of the process can only apply to complaints made against Councillors and co-opted Members).**
5. **At any stage in the above process, either party may take the complaint directly to the Monitoring Officer at Cheshire East Council (this part of the process can only apply to complaints made against Councillors and Co-opted Members).**
6. Complaints made orally (or via e-mail) to a Councillor, the Clerk, or to other Members of his or her Civic Hall team should normally be dealt with as part of the Council's business. If not, the complainant should be asked to put the complaint formally in writing to the Clerk. Written complaints will be acknowledged in writing by the Clerk or Deputy Clerk within 3 working days.
7. If a complainant prefers not to put the complaint to the Clerk, he or she will be advised to put it to the Town Mayor.
8. If a complainant prefers not to put the complaint to the Town Mayor, he or she will be advised to put it to the Clerk.
9. On receipt of a written complaint the Clerk (or Mayor) will try to resolve the issue directly with the complainant. If the complaint is about a particular individual, the Clerk (or Mayor) will first notify the person complained of, and give him or her, an opportunity to comment on the complaint.
10. Where the Clerk receives a written complaint about his or her own actions he or she shall refer the complaint promptly to the Chairman of the Management and Establishment Committee.
11. Where the Mayor receives a written complaint about his or her own actions he or she shall refer the complaint promptly to the Chairman of the Management and Establishment Committee.
12. The Clerk or Mayor shall report to the next meeting of the Management and Establishment Committee brief details of any formal written complaints disposed of by direct action with the complainants. Such reports shall not normally name the complainant or any other parties.
13. The Clerk or Mayor shall bring any written complaint, which cannot be settled, to the next meeting of the Management and Establishment Committee. (The committee may resolve to refer particularly serious complaints directly to full Council). The Clerk will notify the complainant of the date on which the complaint will be considered, when the complainant will be offered an opportunity to explain the complaint orally or in writing.

14. If the complaint is against the Town Mayor, in the first instance it should be dealt with by the Chairman of M & E who should follow this procedure as the Mayor or Clerk would for any other Councillor. If the complaint cannot be resolved by M & E, the committee must refer it to full Council with recommendations for Council to consider. Any proposal concerning the complaint will be carried by a majority vote.
15. If the complaint is against the Chairman of the Management and Establishment Committee, and the matter is brought before the M&E Committee for discussion, the meeting shall be chaired by the Deputy Chairman.
16. In any vote on a complaint, the member who is the subject of that complaint shall be deemed to be conflicted and therefore cannot vote. They may remain in the meeting room throughout the proceedings. They may address the meeting in their own defence, take part in the debate and answer any questions.
17. If, in the view of any 9 Councillors, the Mayor's position has become untenable, an Extraordinary Meeting of the Council must be called in accordance with the Town Council's standing order 5, with the single notice of motion being described as: 'A vote of no confidence in the Town Mayor'. An extraordinary meeting called for this purpose will be chaired by the Deputy Town Mayor or any other Councillor that Council votes for on a show of hands and by a simple majority.
18. For the purpose of this procedure, disqualification occurs when the Town Mayor is disqualified from holding office as a Councillor or by a two thirds majority vote of the full Council, subject to there being at least 12 Councillors present when any such vote is taken. Notice of such a motion is to be given in accordance with the Town Council's standing orders and any superior legislation. If such a resolution is passed, the Town Mayor will continue to hold office until the next ordinary meeting of the full Council when a successor becomes entitled to act as Town Mayor. The election of a successor will be the first order of business.
19. The M&E Committee (or full Council) will consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public, but only where this satisfies the criteria set out in the Town Council's standing order 71 and the relevant sections of the Local Government Acts.
20. As soon as the decision has been made, it will be communicated in writing to the complainant, explaining the action to be taken, if any, with timescales.
21. The Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which professional advice is

needed. The complaint shall be dealt with at the next appropriate meeting after such advice has been received.

22. Individual complaints will be formally recorded at M & E as a part B agenda item. These will be kept as a confidential record for a period of three years and may be used as evidence in any further complaints against the same individual within that period. Thereafter they will be retained in the Town Council archive against any future official, legitimate, requests from sources external to the Town Council.

Appendix D

Poynton Town Council

STANDING COMMITTEES

Introduction

In addition to meetings of the Town Council, involving all 18 Councillors, there are five standing committees, with delegated powers. These committees meet on a regular basis.

Each standing committee has a Chairman and Vice-Chairman approved by the Town Council.

Poynton's residents are welcome to attend Town Council and committee meetings. There are 20 minutes allotted at the start of Town Council meetings for questions to the Mayor. At committee meetings residents may, at the Chairman's discretion, ask questions or raise concerns about any of the items on the agenda, or on any subject that falls within a committee's remit – cross reference SO 38b

There is a requirement under SO 42 for each of the standing committees to have a written remit for the conduct of business under delegated powers. Such remits need to be provided to all Members at the first round of committee meetings after the Annual Meeting of the Town Council in May. Remits for all the standing committees are on the Town Council website.

Management and Establishment Committee

This committee, which meets when necessary, is made up of the Chairmen of the Finance and General Purposes Committee, Facilities Infrastructure and Economic Development Committee, Planning and Environment Committee and Community and Public Safety Committee plus two other Members.

Remit

- To work with the Town Clerk to ensure that the Town Council is staffed sufficiently to provide for the effective operation of the Town Council and the Civic Hall;
- To recruit and appoint members of staff;
- To monitor staff workloads, working conditions, work/life balance and wellbeing;
- To draft and recommend for adoption, the procedures for dealing with discipline and grievances;
- To establish a performance management/appraisal policy for all members of staff;
- To conduct the performance management /appraisal of the Town Clerk;
- To review the Town Council's standing orders;
- To administer the Town Council's internal complaints procedures;
- To consider nominations for the annual Civic Awards;
- To take action with regard to any other issues concerning staffing not specified above.

29th June 2016

Community, Order and Public Safety (COPS)

Remit

- To prepare an annual draft budget that is sufficient to fund the committee's priorities, objectives and activities, and to have outline spending plans for any accumulated earmarked reserves;
- To consider, and when and where necessary to take actions or make provision for the prevention, deterrence and detection of any form of crime and disorder - either directly or in support of other councils, agencies, the emergency services and individuals.
- To consider, and when and where necessary to take actions or make provision to enhance the safety and wellbeing of residents - either directly or in support of other councils, agencies, the emergency services and individuals.
- To ensure that Cheshire East maintains Poynton's CCTV network, and provides regular reports on CCTV monitoring as required by the terms of the annual agreement;
- To monitor and promote the Town Council's community transport scheme and 'shopmobility' scheme;
- To attract local sponsorship and take other action as appropriate to ensure the sustainability of the CAB Poynton outreach service;
- To consider bids for Town Council community grants and funding for Town Council-led community events.
- To be responsible for the Town Council's communications and communications strategy, in liaison with the Communications Working Group.
- To take action on any other community, order or public safety issues not specified above.

June 2016

Facilities, Infrastructure and Economic Development (FIED)

Remit

- To prepare an annual draft budget that is adequate to fund the Committee's priorities, objectives and activities, and to have outline spending plans for any accumulated Earmarked Reserves;
- Liaison with Cheshire East Council and utility companies on issues such as highway projects and maintenance, street lighting, gritting, clearing gullies and culverts and tree maintenance;
- The maintenance and provision of benches, bins and notice boards;
- The maintenance of the Civic Hall;
- The security and maintenance of the two Town Council-owned parks and other areas managed by the Town Council;
- The maintenance of Princes and Lady's Inclines (owned in most part by the Town Council);
- Enforcing the byelaws that govern the use of Poynton's parks and open spaces;
- Liaison with Cheshire East on open spaces;
- The maintenance of street lights owned by the Town Council;
- Management of the Coppice Road Allotments, in conjunction with the Coppice Road Allotments Association;
- To organise the annual Poynton Awards for Customer Excellence (PACE) and maintain links with Poynton In Business;
- The promotion of Poynton's visitor economy;
- Maintaining the Community Resilience Emergency Plan;
- Liaison with Poynton in Bloom.
- To take action with regard to any other issues concerning facilities, infrastructure, and economic development not specified above.

20th June 2016

January 2017

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Remit for Finance and General Purposes Committee

Remit

- To prepare an annual draft budget for this committee that is sufficient to fund the committee's priorities and objectives;
- To take responsibility for all issues concerning governance of the Town Council's finances, including internal controls, capital expenditure and reserves;
- To oversee the preparation of the annual Town Council budget, to recommend it for approval by the Town Council, and to monitor it throughout the financial year;
- To recommend an annual precept to the Town Council;
- The Committee Chairman or the Committee to authorise significant payments above the level of those delegated to the Responsible Finance Officer;
- To regularly review all fees and charges paid by the Town Council;
- To ensure compliance with the Town Council's financial regulation standing orders, and to review these at least annually;
- To take action on any other financial issues not specified above.
- To deal with other issues under 'General Purposes' that do not fall within the remits of the other standing committees.

June 2016

Planning and Environment Committee

Remit

- To prepare an annual draft budget that is sufficient to fund the committee's priorities, objectives and activities, and to have outline spending plans for any accumulated Earmarked Reserves;
- To make recommendations to the Cheshire East planning authority on all planning applications and related issues concerning Poynton (e.g. tree works, planning enforcement);
- To monitor and take appropriate action on those new road schemes concerning Poynton;
- To monitor and take appropriate action on planning issues in neighbouring areas that could impact on Poynton (e.g. development of the former BAE Systems Woodford site);
- To receive, and where appropriate, respond to notifications of Planning Appeals;
- To make representations as appropriate regarding licence applications/transfers/ Renewals, where these are brought to the Town Council's attention;
- To receive, and where appropriate, respond to consultations relating to planning and associated matters, including the Local Plan;
- To respond to and take appropriate action on any environmental issues affecting Poynton (e.g. fly tipping, air monitoring, bin collections);
- As the 'Qualifying Body', to sponsor, lead and help progress the Poynton Neighbourhood Plan.
- To take action with regard to any other planning or environmental issues not specified above.

May 2016

Adopted by Town Council on 9th January 2017
Amended by Town Council on 14th May 2018 (Standing Order 43 amended)
Review Date: 2019