

# **STANDING ORDERS**

**These Standing Orders were adopted by the Council on 17<sup>th</sup> May 2022**

*ALTERATIONS SINCE APPROVAL (May 2022)*

**Green indicates Standing Orders to which minor drafting, wording and numbering changes have been made,  
Blue indicates Standing Order to which significant drafting and wording changes have taken place or which have been added in their entirety.**

Financial Regulations (Part 2); Powers and Duties of Council, Committees and Sub-Committees (Part 3); Proper Officer Provisions and Delegation to Officers (Part 4) shall all have the same effect as Standing Orders. In addition to Standing Orders the council has adopted policies and reference to these policies should be made when seeking information about how the council will undertake particular activities and deal with specific issues.

## **PART I: RELATING TO MEETINGS OF THE COUNCIL**

### **A1. MEETINGS**

- A1.1 Council and committee meetings shall be held in the Civic Centre, St Stephen's Place, Trowbridge, commencing at 7pm, unless the Council or the committee decides otherwise at a previous meeting.
- A1.2 **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.** Therefore, any licence for the supply of alcohol will not be invoked in that part of the premises used for the meeting for the duration of the meeting and no alcohol will be consumed during the meeting.
- A1.3 **Three clear days' notice will be given of meetings to councillors and the public. The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Saturday, 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.**
- A1.4 Otherwise than in the event of an unavoidable emergency, apologies for non-attendance at meetings must be notified to the Council office by 5pm at the latest on the day of the meeting, giving a reason for non-attendance. Reasons for non-attendance will be reported to the meeting and kept on file by the Proper Officer but will not be recorded in the minutes.
- A1.5 The minutes of a meeting shall include an accurate record of the following:
- the time and place of the meeting;
  - the names of councillors present and of those members having given prior apology with reasons for their non-attendance, if approved by resolution of the meeting;
  - interests that have been declared by councillors and non-councillors with voting rights;
  - whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - if there was a public participation session; and
  - the resolutions made.
- A1.6 **The code of conduct adopted by the Council shall apply to councillors and non-councillors with voting rights in respect of the entirety of meetings (See S.O. A25 below).**
- A1.7 The ruling of the Chair as to the construction or application of any of these Standing Orders or as to any proceedings of the Council shall not be challenged at any meeting.

### **A2. MEETINGS OF THE COUNCIL**

- A2.1 **The Statutory Annual Meeting shall be held;**
- In an election year, on or within 14 days following the day on which the new councillors elected take office; or**
  - In a year which is not an election year on the third Tuesday in May.**
- A2.2 **The three other statutory and two additional meetings shall be held on the third Tuesday in the months of July, September, November, January and March.**

A2.3 **Extraordinary meetings of the Council may be called:**

- a. **By the Mayor at any time; or**
- b. **Upon receipt of a requisition signed by two members, to the Mayor and stating the business to be transacted, no other business being allowed. If the Mayor does not call or refuses to call an extraordinary meeting of the Council within seven days of having been requested to do so by two councillors, any 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.**

A3. **CHAIR OF THE COUNCIL**

- A3.1 The Council is a Town Council and the Chair of the Council will be titled Mayor of Trowbridge. The Mayor shall preside at all full meetings of the Council.
- A3.2 In the absence of the Mayor, the Deputy Mayor or in his/her absence also, **the member elected to preside at the meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.**
- A3.3 **The Mayor, 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.**
- A3.4 **The Deputy Mayor, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the Council.**
- A3.5 **In an election year, if the current Mayor has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but must give a casting vote in the case of an equality of votes.**
- A3.6 **In an election year, if the current Mayor has been re-elected as a member of the Council, he shall preside at the meeting until a new Mayor has been elected. He may exercise an original vote in respect of the election of the new Mayor and must give a casting vote in the case of an equality of votes.**

A4. **QUORUM**

- A4.1 **The Quorum for meetings shall be three members or one-third of the total membership, whichever is the greater.**
- A4.2 If a quorum is not present when the Council meets or if during a meeting the number of councillors present and not debarred by reason of a Disclosable Pecuniary Interest falls below the quorum, the meeting shall stand adjourned and any business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chair may fix.

A5. **VOTING**

- A5.1 **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or those councillors with voting rights present and voting thereon, unless a greater level of consent is required by statute.**
- A5.2 Members shall vote by the most appropriate method as determined by the chair, or, at a meeting held in person and if at least two members so request, by signed ballot, but the following Standing Order still applies in the case of a signed ballot.
- A5.3 **At the request of a councillor, the Proper Officer shall record the names of the members who voted on any question so as to show whether they voted for or against it.** Any such request must be made prior to the vote being taken. Following a vote, a member may request that her/his individual vote or abstention is recorded.
- A5.4 **The Chair 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 even though he/she gave no original vote.**
- A5.5 For the conduct of elections for the co-option of members or the appointment of persons by the council to a committee or other body, to ensure that the decision is by the majority of members present and voting the following procedure shall apply:
- A5.5.1 All candidates duly nominated and qualified will be presented in alphabetical order of surname to those able to vote and each person voting will have one vote at each round of voting, subject to A5.4 above.
- A5.5.2 If there is more than one vacancy each vacancy should be taken in turn, with the vacancy attracting the longest period of appointment taken first.

- A5.5.3 If more than two candidates are duly nominated and qualified for a vacancy voting shall be carried out in a series of rounds. At the first round of voting the candidate with the least number of votes cast will be eliminated. If several candidates have obtained the same number of least votes they should be struck off one by one, in an order determined by lot or further vote.
- A5.5.4 Rounds of voting should continue until one candidate receives a majority of all votes cast.
- A5.5.5 If there is more than one vacancy, subsequent vacancies should then be filled as above, with no candidate disqualified by virtue of having been eliminated in any of the earlier rounds of voting for any of the previous vacancies.
- A5.6 Voting on the budget and precept recommendation at the Policy & Resources Committee and on the budget and precept resolution at Full Council will be a recorded vote and the Proper Officer shall record the names of the members who voted on such questions so as to show whether they voted for or against.
- A6. **ORDER OF BUSINESS**
- A6.1 **In an election year Councillors should execute Declarations of Acceptance of Office in the presence of the Proper Officer or in the presence of another councillor having already made their declaration of acceptance of office, before the Annual Meeting commences.**
- A6.2 **At each Annual Meeting the order of business shall be:**
- A6.2.1 **To elect the Mayor.**
- A6.2.2 **To receive the Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- A6.2.3 **To receive a report on any outstanding declarations of acceptance of office and to decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
- A6.2.4 To elect the Deputy Mayor.
- A6.2.5 To receive the Deputy Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.
- A6.2.6 **To adopt the council's code of conduct** and standing orders including financial regulations, including any amendments considered necessary.
- A6.2.7 To appoint the Leader of the Council who will be Chair of the Policy & Resources Committee. The Leader of the council has no delegated decision making powers, but offers a regular link between members (normally the majority or largest group on the council) and the Town Clerk with regards to consultation on decisions delegated to the Town Clerk and other officers.
- A6.2.8 To review delegation to committees, the terms of reference for committees, appoint committees (having the duties and powers as set out in PART 3), appoint chairs and vice-chairs of committees.
- A6.2.9 To appoint representatives to outside bodies
- A6.2.10 To consider the requirements for adoption of the General Power of Competence and if the council meets the requirements to so adopt.
- and shall thereafter follow the order set out in Standing Order A6.5.
- A6.3 **At every meeting other than the Annual Meeting the first business shall be to appoint a Chair if the Mayor and Deputy Mayor are absent and to receive such Declarations of Acceptance of Office (if any) as are required by law to be made, or if not then received, to decide when they shall be received.**
- A6.4 In every year, not later than the meeting at which the estimates for next year are settled the Council shall review the pay and conditions of service of existing employees (see Standing Order A17 below).
- A6.5 After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:
- A6.5.1 To receive and accept apologies.
- A6.5.2 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. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- A6.5.3 To receive minutes of committees and ask any questions relating to such minutes.
- A6.5.4 To receive declarations of interest from members and officers and to consider any dispensation requests received by the Proper Officer.
- A6.5.5 **To deal with business expressly required by statute to be done.**
- A6.5.6 To dispose of business, if any, remaining as adjourned from the last meeting.
- A6.5.7 To receive such communications as the presiding Chair may wish to lay before the Council.

- A6.5.8 To allow a Public Open Forum, (See SO A7)
  - A6.5.9 To receive presentations from others, including youth representatives, Police and Wiltshire Council Members.
  - A6.5.10 To answer questions from Councillors. (See SO A14)
  - A6.5.11 To receive and consider reports from officers of the Council, provided that if a copy has been circulated to each member no later than the day of issue of the summons to attend the meeting the report forms a part of the agenda.
  - A6.5.12 To receive and consider motions or recommendations in the order in which they have been notified.
  - A6.5.13 To authorise the sealing of documents.
  - A6.5.14 Any other business specified in the summons.
- A6.6 A motion to vary the order of business on the ground of urgency may be proposed by the Chair or by any member and, if proposed by the Chair, may be put to the vote without being seconded and shall be put to the vote without discussion.

## A7 **PUBLIC PARTICIPATION**

- A7.1 **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. viz; 'That; in accordance with the Public Bodies (Admission to Meetings) Act 1960, it would be prejudicial to the public interest by reason of the confidential nature of the business about to be transacted; and therefore the meeting do resolve that the public and press be temporarily excluded and be instructed to withdraw.'**
- A7.2 Each meeting of the council, committees or sub-committees will include Open Forum, a period for public participation, allowing members of the public to make representations, answer questions or give evidence relating to the business being transacted at that meeting or on any subject of relevance to the town. If a member of the public wishes to speak the Chair will ask them to give their name and address and to state whether he/she wishes to speak at the Open Forum or at the point at which the agenda item he/she is interested in is due to be considered, indicating that agenda item. The Chair will then confirm to the member of the public whether he/she may speak at the point at which the agenda item is due to be considered, or whether he/she should speak during the Open Forum.
- A7.3 The time designated for Open Forum and for individual contributions is at the discretion of the Chair.
- A7.4 A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate. The Chair may direct that a response to a question posed by a member of the public be referred to a Councillor or to an officer for a written or oral response.
- A7.5 A member of the Council who is not a member or substitute of a committee or sub-committee shall be entitled to attend (but not to vote) at a meeting of the committee or sub-committee only to the same extent as any member of the public. The restrictions imposed upon a member of a committee as to the disclosure of information to the public and press under Standing Order A18 shall apply to a similar extent to non-members attending and speaking.
- A7.6 **The press shall be provided reasonable facilities for the taking of a report of all or part of a meeting at which they are entitled to be present.**
- A7.7 **In accordance with The Openness of Local Government Bodies Regulations 2014; a person may not orally report or comment about a meeting as it takes place if he is present at the meeting but otherwise may:**
- a. **film, photograph or make an audio recording of a meeting;**
  - b. **use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;**
  - c. **report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.**
- A7.8 A person may not edit the film, recording or photographs in a way that could lead to misinterpretation of the proceedings. This includes editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being photographed, recorded or filmed.
- A7.9 A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- A8. **MOTIONS NOT REQUIRING NOTICE**
- Motions in respect of the following matters may be moved without written notice to the Proper Officer:
- A8.1 To appoint a person to preside at the meeting.
  - A8.2 To approve the absences of members.

- A8.3 To correct an inaccuracy and approve the accuracy of the Minutes of the previous meeting.
- A8.4 To dispose of business, if any, remaining adjourned from the previous meeting.
- A8.5 To alter the order of business on the agenda for reasons of urgency or expediency.
- A8.6 To proceed to the next business on the agenda.
- A8.7 To put a motion to the vote.
- A8.8 To refer by formal delegation a matter to a committee, sub-committee or an officer.
- A8.9 To appoint or dissolve a committee, a sub-committee, receive nominations or appoint members thereto.
- A8.10 To note the minutes of a committee or sub-committee.
- A8.11 To consider a report and/or any recommendations made by a committee, sub-committee, officer, professional expert, advisor or consultant.
- A8.12 To authorise legal deeds to be sealed by the Council's common seal and witnessed.
- A8.13 To amend a motion.
- A8.14 To give leave to withdraw a motion or an amendment.
- A8.15 To defer consideration of a motion
- A8.16 To exclude the public and press (See SO A7.1)
- A8.17 To not-hear or eject from the meeting a person for disorderly conduct. (See SO A11).
- A8.18 To require a written report
- A8.19 To extend the time-limits for speaking
- A8.20 To give the consent of the Council where such consent is required by these Standing Orders.
- A8.21 **To suspend any Standing Order except those which are mandatory by law (See SO A22).**
- A8.22 To temporarily suspend, close or adjourn the meeting.
- A8.23 To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- A8.24 To answer questions from councillors.

## A9. **MOTIONS REQUIRING NOTICE**

- A9.1 Except as provided by these Standing Orders, no motion may be moved unless the business to which it relates has been put on the Agenda by the Proper Officer or the mover has given notice in writing of its terms and has delivered the notice to the Proper Officer at least seven clear days before the next meeting. Clear days do not include the day of the notice or the day of the meeting, a Saturday, 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.
- A9.2 The Proper Officer may, before including a motion in the agenda, correct obvious grammatical or typographical errors in the wording of the motion.
- A9.3 If the Proper Officer considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least seven clear days before the meeting.
- A9.4 If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- A9.5 The decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- A9.6 Every motion received shall be duly recorded and if rejected will include a note by the Proper Officer giving reasons for it's the record shall be open to inspection by all councillors.
- A9.7 The Proper Officer shall set out in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received, unless the member giving a notice of motion has stated in writing that he/she intends to move it at some later meeting or that he/she withdraws it.
- A9.8 If a motion or recommendation specified in the summons is not moved, either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- A9.9 If the subject matter of a motion comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion, to such committee or to such other committee or officer as the Council may determine for report; provided that the Chair, if he/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- A9.10 Every motion, recommendation and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

## A10. **RULES OF DEBATE**

- A10.1 Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the discretion of the chair of the meeting.

- A10.2 A motion (including an amendment) shall not be considered unless it has been proposed and seconded, and unless proper notice has already been given, it shall, if required by the chair of the meeting, be reduced to writing and communicated to the chair before it is further considered.
- A10.3 A member may, with the consent of her/his seconder move amendments to her/his motion.
- A10.4 An amendment shall be one of the following:
- To remove one or more words;
  - To add one or more words;
  - To remove one or more words and to add one or more other words.
- A10.5 An amendment shall not have the effect of rescinding the original motion under consideration.
- A10.6 A further amendment shall not be moved until the Council has disposed of any amendment previously moved.
- A10.7 If an amendment is carried, the motion, as amended, shall become the substantive motion in place of the original motion and shall become the motion upon which any further amendment(s) may be moved.
- A10.8 A motion or amendment may be withdrawn by the proposer with the consent of the seconder, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- A10.9 No speech shall exceed five minutes, except by consent of the Council.
- A10.10 A member shall direct his/her speech to the question under discussion or to a personal explanation or to a question of order.
- A10.11 A member, when speaking, shall address the Chair. If two or more members wish to speak, the Chair shall call on one to speak; the other(s) shall then remain silent, unless raising a point of order or in personal explanation.
- A10.12 A member, other than the mover of a motion, shall not, without leave of the Council, speak more than once on any motion except: to move an amendment; to further an amendment; on an amendment; on a point of order; in personal explanation or to move to the vote (see Standing Order A8.7).
- A10.13 The mover of a motion shall have a right to reply immediately before the motion is put to the vote including when the original motion has been amended.
- A10.14 The mover of an amendment shall be entitled to reply immediately before the amendment is put to the vote.
- A10.15 A member exercising a right of reply shall not introduce new subject matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.
- A10.16 A member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.
- A10.17 If the Chair rises during a debate, all other members shall be seated and silent.
- A10.18 A point of order shall identify the standing order which he/she considers has been breached or specify the irregularity in the meeting he/she is concerned by. A personal explanation shall be confined to some material part of a former speech by him/her which may have been misunderstood.
- A10.19 The ruling of the Chair on a point of order or the admissibility of a personal explanation shall not be discussed.
- A10.20 When a motion is under debate no other motion shall be moved except the following:
- A10.20.1 To amend the motion
  - A10.20.2 To proceed to the next business.
  - A10.20.3 To adjourn the debate.
  - A10.20.4 To put the motion to the vote.
  - A10.20.5 To ask a person to be silent or for him/her to leave the meeting.
  - A10.20.6 To refer a motion to a committee or to the Council, as appropriate for consideration.
  - A10.20.7 To exclude the public and press.
  - A10.20.8 To adjourn the meeting.
  - A10.20.9 To suspend any standing order, except those which reflect mandatory statutory requirements.
- A10.21 At the end of any speech a member may, without comment, move "that the motion be put to the vote", "that the debate be now adjourned" or "that the Council does now adjourn". If such a motion is seconded and if the Chair is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he/she shall forthwith put that motion. If the motion "that the motion be put to the vote" is carried, he/she shall call upon the mover to exercise or waive his/her 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.
- A11. **DISORDERLY CONDUCT**
- A11.1 **No person including members shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or if a member, in such a manner as to bring the Council into disrepute.**
- A11.2 If, in the opinion of the Chair, a person has acted in a manner contrary to that required, the Chair shall express that opinion to the Council and thereafter any member may move that the person named be no longer heard

or that the person named do leave the meeting, and the resolution, if seconded, shall be put forthwith and without discussion.

A11.3 If either of the resolutions mentioned in Standing Order A11.2 is disobeyed, the Chair may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

## A12. **DECLARATIONS OF INTEREST & DISPENSATION REQUESTS**

A12.1 **If any member is aware that they have a Disclosable Pecuniary Interest in any matter to be considered or being considered at a meeting which has not already been registered then he/she must disclose the interest to the meeting as soon as it becomes apparent, disclosing the existence, and unless it is a Sensitive Interest, the nature of that interest as required.**

A12.2 **If any member who has declared an interest at any time considers the interest to be a Disclosable Pecuniary Interest or an interest which if a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it is likely to prejudice consideration or decision making in relation to that matter, he/she must not participate in any discussion and debate or participate in any vote on the matter unless they have obtained a dispensation and; may only make a statement of fact about their interest and answer any questions of fact from the Chair of the meeting, relating to the matter, which may assist with consideration of the matter prior to the commencement of debate and discussion on the matter; and must leave the room prior to the commencement of such debate and discussion and during voting on the matter in question.**

A12.3 **The Proper Officer shall record the particulars of any notice given by any officer of the Council of an interest in a contract, and the information so recorded shall be available during reasonable hours of the day for the inspection of any member.**

A12.4 Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting of Full Council at which the dispensation will be considered.

A dispensation request shall confirm:

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

A12.5 Subject to standing order A12.4 above, dispensations requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the meeting of the council at which the dispensation is considered.

A12.6 **A dispensation may be granted if having regard to all relevant circumstances the following applies:**

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

A decision as to whether to grant a dispensation shall be made by the council, and that decision is final.

## A13. **RESCISSION OF PREVIOUS RESOLUTION**

A13.1 A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special motion, the written notice whereof bears the names of at least seven members of the Council or by a motion moved in pursuance of the report or recommendation of a committee.

A13.2 When a special motion or any other motion moved under A13.1 has been disposed of, no similar resolution may be moved within a further six months.

## A14. **QUESTIONS**

A14.1 A member may seek an answer to any question concerning the business of the Council provided seven clear-days' notice of the question has been given to the Proper Officer.

A14.2 A member, with or without notice, may ask the Chair of a committee any question upon the proceedings of the committee then before the Council if the question is put before the Council's consideration of those proceedings is finished.

A14.3 Every question shall be put and answered without discussion.

A14.4 A person to whom a question has been put may decline to answer.

## A15. **COMMITTEES**

A15.1 The Council shall at the Annual Meeting appoint such Standing Committees as it considers necessary for the execution of the Council's business, confirm the remit of such Committees and confirm the membership of such Committees.

A15.1.1 Each Committee shall have such number of members as determined by the Council, in addition to the Leader, who shall be an ex-officio member of every committee. Membership of the committees should allow for proportionality in relation to political representation on the council.

A15.1.2 The Committee responsible for financial matters (normally known as the Policy & Resources Committee) shall include the Chairs of all the other Committees.

A15.1.3 The members of each committee shall elect a Chair and a Vice Chair who shall hold office until the next annual meeting of the Council, except for the Chair of the Policy and Resources Committee who will be the Leader of the Council, appointed at the Annual Meeting of Council.

A15.1.4 Committees are empowered to make decisions in accordance with 'The Powers and Duties of Council, Committees and Sub-Committees' continued in part 3.

A15.2 Substituted members are allowed and they will have all the powers and duties of the member of the committee who has been replaced.

A15.3 For the avoidance of doubt, substituted members may attend meetings in that capacity only; to take the place of the member for whom they have been substituted, where the other member will not be in attendance at the committee meeting for the whole of the meeting, that their apology for non-attendance at the whole of the meeting has been recorded at the meeting and that they either represent the same political party as the absent member or the absent member has authorised them as their substitute.

A15.4 The Council may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:

A15.4.1 shall not appoint any member of a committee so as to hold office later than the next Annual Meeting, and

A15.4.2 may appoint persons other than members of the Council to any committee, except the committee responsible for financial matters (normally known as the Policy & Resources Committee) but they may not vote on any matters other than those relating to;

**a. the management of land, b. tourism functions, and c. the management of a festival.**

A15.4.3 may subject to the provisions of Standing Order A15.1 above at any time dissolve or alter the membership of a committee.

A15.5 **At every meeting the first business shall be to elect a Chair for the meeting if the Chair and Vice-Chair are absent.** After the first business has been completed the order of business shall be as per Standing Order A6.5 where relevant.

A15.6 Meetings of committees of the Council shall be held in accordance with the frequency and calendar of meetings approved by the Council from time to time.

A15.7 The Chair of a committee may request an extraordinary meeting of that committee to be summoned as required by law at any time. If the Chair of a committee does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by a quarter of the councillors who are members of that committee, those councillors may convene an extraordinary meeting of that committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by those councillors.

## A16. **SUB-COMMITTEES**

A16.1 Every committee may appoint sub-committees for purposes to be specified by the committee.

A16.2 The Chair and Vice Chair of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

A16.3 The committee will appoint the members of the sub-committees, but membership of the sub-committee will not necessarily be limited to those who are members of the committee.

A16.4 Sub-committees will operate in accordance with the Standing Orders which apply to committees.

## A17. **DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL**

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded. (See Standing Order A18, below). All records relating to employees should be kept securely in accordance with all relevant legislation and only disclosed to line managers and other senior officers in accordance with all relevant legislation.

## A18. **CONFIDENTIAL BUSINESS**

- A18.1 No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any information given in confidence or which they believe, or ought to be aware is of a confidential nature. Any member in breach of the provisions of Standing Order A18.1 may be removed from a committee or sub-committee of the Council, by resolution of the Council.
- A18.2 The contents of any document or report which may be circulated to any member or members of the Council and which is marked "Private and Confidential" shall not be disclosed to any other person or persons. Such documents will usually be on yellow paper. Provided that the Proper Officer, having consulted with the Leader and, where appropriate, with any committee Chair, may agree to disclose the contents of any such document or report or any part thereof at any time when, in her/his opinion, there is no longer any need for the document or report to be treated as private and confidential.
- A18.3 A member may for the purpose of her/his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- A18.4 All Minutes kept by the Council and by any committee and sub-committee shall be open for the inspection by any member of the Council. The Minutes of the Council and any committee or sub-committee shall be open to inspection by any elector of the Town without charge, unless they refer to business conducted in the absence of the public and press. In which cases the minutes will record the decisions taken but not the confidential details, which will be kept in a confidential file.

## A19. **UNAUTHORISED ACTIVITIES**

No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council inspect any lands or premises, which the Council has a right or duty to inspect or issue orders, instructions or directions unless authorised by resolution to do so by the Council or the relevant committee or sub-committee.

## A20. **CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- A20.1 Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Proper Officer shall disclose the requirements of this Standing Order to every candidate.
- A20.2 A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- A20.3 If a candidate for any appointment under the Council is to his/her knowledge related to any councillor or the holder of any office under the Council, he/she and the person to whom he/she is related shall disclose the relationship in writing to the Proper Officer. A candidate who fails so to do shall be disqualified for such appointment and if appointed, may be dismissed without notice. The Proper Officer shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed the Standing Orders on declaration of interests of members in contracts and other matters shall apply. The Proper Officer shall disclose the requirements of this Standing Order to every candidate.
- A20.4 Standing Order A20 shall apply to tenders as if the person tendering were a candidate for an appointment.

## A21. **SEALING OF DOCUMENTS**

- A21.1 A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- A21.2 **Subject to standing order 21.1 above, the council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

## A22. **VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS**

- A22.1 Any or every part of the Standing Orders except those which are mandatory by law and printed in **bold type** may be suspended by resolution in relation to any specific item of business.
- A22.2 A motion permanently to add, vary or revoke a Standing Order other than at the Annual Council Meeting shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, except that a recommendation of the Policy & Resources Committee, permanently to add, vary or revoke a Standing Order, shall, if adopted by the Council, have immediate effect.

## A23. **LIAISON WITH WILTSHIRE COUNCILLORS**

- A23.1 A copy of the Agenda for each meeting shall be sent, together with an invitation to attend, to the Wiltshire Councillors for the appropriate electoral divisions covering the town.
- A23.2 Unless the Council otherwise orders, a copy of each communication ordered to be sent to Wiltshire Council shall be transmitted to the Wiltshire Councillors for the appropriate electoral divisions as the case may apply.

## A24. **STANDING ORDERS TO BE GIVEN TO MEMBERS**

A printed copy of Standing Orders shall be given to each member by the Proper Officer upon delivery to him/her of the member's declaration of acceptance of office.

## A25. **CODE OF CONDUCT**

- A25.1 All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- A25.2 If the Proper Officer receives a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct the Proper Officer will refer the complaint to the Monitoring Officer of Wiltshire Council.
- A25.3 Where the notification in standing order A25.2 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor of this fact, and the Mayor shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take.
- A25.4 If the Proper Officer considers that there are staff, employment and legal issues related to the complaint then, in addition to reporting the complaint to the Monitoring Officer, the Proper Officer will, subject to standing order A18 above, include a report of the matter on the agenda for the first available full council meeting.
- A25.5 At meetings of the Council when a complaint is considered, referred to in A25.4 above, the council may impose limitations on the councillor such as removal from committees and restrictions on attending the council offices, pending further investigation by the Monitoring Officer of Wiltshire Council.
- A25.6 The council may:
- provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law; or
  - seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- A25.7 Upon notification by Wiltshire Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall receive the decision, shall ensure any sanctions imposed are put in place and shall lift any limitations the council has imposed.
- A25.8 Any limitations imposed by the council will be reconsidered at the first meeting of council following the ordinary elections where a formal investigation is ongoing and the councillor has been re-elected.

## A26. **PROJECT MANAGEMENT**

### A26.1 **Success Standards**

When the Council approves a project that has an estimated cost of more than £25,000 it will include SMART success standards, such as time, costs, budget and public health, to be approved at the same time. The Council will then report on the achievement or otherwise of the success standards as appropriate on conclusion of the project or at such time as measurement against the success standards has taken place.

### A26.2 **Project Criteria**

When the Council considers a project or other decision that has an estimated cost of more than £25,000 the following criteria will be assessed and included in the report accompanying the agenda item.

- Equalities
- Finance
- Climate
- Ecology
- Staff
- Legal
- Risk
- Benefit to Trowbridge

**STANDING ORDERS - PART 2: FINANCIAL REGULATIONS**

**Filed separately**

## **STANDING ORDERS - PART 3: POWERS AND DUTIES OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**

### **C1. COUNCIL**

- C1.1 The following matters shall be reserved for decision by the Council itself.
- C1.1.1 Agreeing and setting the Council Strategy, Aims and Objectives.
  - C1.1.2 **Agreeing and setting the Precept.**
  - C1.1.3 **Borrowing money.**
  - C1.1.4 Making, amending or revoking Standing Orders, including Financial Regulations, the Powers and Duties of the Council, its Committees and Sub-Committees, the Proper Officer Provisions and the Delegation to Officers.
  - C1.1.5 **Making, amending or revoking Bye-laws.**
  - C1.1.6 Making of orders under any statutory powers.
  - C1.1.7 Important matters of principle or policy which have been referred directly by committees or officers.
  - C1.1.8 Prosecution or defence in a court of law.
  - C1.1.9 **The approval of a Lottery Scheme.**
  - C1.1.10 **To appoint the Proper Officer and Responsible Financial Officer of the Council.**
  - C1.1.11 Nomination or appointment of representatives of the Council, on another authority, organisation or body.
  - C1.1.12 New undertakings.
  - C1.1.13 Nominations or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those specific to a committee.

### **C2. COMMITTEES AND SUB-COMMITTEES**

- Subject to further provisions of these Powers and Duties, Committees shall be empowered to exercise and perform on behalf of and in the name of and without further reference to the Council, all powers and duties of the Council in relation to:
- C2.1 The matters specified, for Committees in their respective powers and duties, or for Sub-Committees, in their respective minute of appointment or other minute defining their powers.
  - C2.2 Those matters which naturally fall within their jurisdiction as indicated by their respective titles and which are not contained in the duties and powers of any other Committee.
  - C2.3 Any other matter which may be delegated to it by the Council from time to time.
  - C2.4 The acts of Committees and Sub-Committees shall be in accordance with the Standing Orders (including the Financial Regulations and Powers and Duties of the Council, its Committees and Sub-Committees, Proper Officer Provisions and Delegation to Officers) and, where applicable, other rules, regulations, schemes, statutes, Byelaws or orders made and with any directions given by the Council from time to time.
  - C2.5 Whilst not exhaustive, the attached Schedules give examples of the matters delegated to the Committees of the Council, in accordance with the above.

### **C3. REMIT OF THE MUSEUM COMMITTEE**

- C3.1 The Committee shall be empowered to exercise and perform on behalf of the Council, all powers and duties of the Council in relation to the matters listed below, which are not exhaustive:
- C3.1.1 Oversee the management and operation of the Trowbridge Museum.
  - C3.1.2 Ensure the recording and safe keeping of the collection to meet the standards laid down by the museum's accreditation authority.
  - C3.1.3 Oversee the provision of an Education Service including term time and holiday period activities and community arts and heritage activities.
  - C3.1.4 Agree a series of temporary exhibitions aimed at encouraging visitors.
  - C3.1.5 Ensure reasonable access to the collection whether in the gallery or archive.
  - C3.1.6 Oversee the digitisation of the collection to make it more accessible via the internet.
  - C3.1.7 Facilitate the encouragement of the Friends of Trowbridge Museum to provide volunteers, fundraising and other services.
  - C3.1.8 Oversee links with Wiltshire Council's Museum Service in relation to these activities.
  - C3.1.9 Provide for Emergency Procedures and Disaster Plan for the Museum.
  - C3.1.10 In relation to all activities, that issues relating to Health & Safety are risk assessed and appropriately prioritised.

- C3.1.11 Develop and coordinate relationships with other cultural providers including but not limited to Cloth Road Arts Week, Trowbridge Town Hall Arts and Drawing Projects @ Bridge House.
- C3.1.12 Ensure town-wide tourism activity is encouraged and that a range of tourism related facilities and services are provided at the TIC to the public including residents and visitors in conjunction with the service manager.
- C3.1.13 Work with the Civic Society to preserve and enhance the town's historic buildings.
- C3.1.14 To bring forward proposals for the ongoing development of these services.
- C3.1.15 To deliver specific aims of the Council Strategy.
- C3.1.16 Work with others to manage an annual heritage event or series of events.
- C3.2 The Committee may appoint Sub-Committees and may delegate any of its powers to sub-committees.
- C3.3 The Committee is empowered to incur expenditure where it has an allocated budget provision.

## C4. **REMIT OF THE LEISURE & INFORMATION SERVICES COMMITTEE**

- C4.1 The Committee shall be empowered to exercise and perform on behalf of the Council, all powers and duties of the Council in relation to the matters listed, which are not exhaustive.
  - C4.1.1 Provision of Active Trowbridge sports coaching with schools and other community leisure activities including a Summer holiday road-show for young people.
  - C4.1.2 Contribute to the development of Playing Fields and Changing Rooms including Hard-play areas, Children's Play areas, BMX Track, Skatepark and other sporting facilities.
  - C4.1.3 Events such as Annual Active Festival specifically aimed at young people's activities.
  - C4.1.4 Work in partnership with TCAF and others providing services for young people and those funded from the Local Youth Network of the Area Board to provide additional services for young people in the town.
  - C4.1.5 Provision of a comprehensive reception and information service through the Trowbridge Information Centre, council web-sites, social media and print media.
  - C4.1.6 Coordinate marketing and promotional activities on behalf of the council, including brochures, advertising and the Discover Trowbridge magazine and the relationship with Visit Wiltshire.
  - C4.1.7 To support the management of facilities at Studley Green Community Centre, Seymour Hub & Cabin and the recreational facilities at Doric Park, Studley Green and Woodmarsh.
  - C4.1.8 Support those organising events in the town with infrastructure, health & safety and other technical support including Weavers' Market, Carnival and Apple Festival.
  - C4.1.9 Support the council's own events including Christmas Lights and Pancake race.
  - C4.1.10 All aspects of licensing for Town council activities.
  - C4.1.11 In relation to all activities performed by the Committee, that issues relating to Health & Safety are risk assessed and appropriately prioritised.
  - C4.1.12 To bring forward proposals for the ongoing development of these services.
  - C4.1.13 To deliver specific aims of the Council Strategy.
- C4.2 The Committee can appoint Sub-Committees and can delegate any of its powers to sub-committees.
- C4.3 The Committee is empowered to incur expenditure where it has allocated budget provision.

## C5. **REMIT OF THE TOWN DEVELOPMENT COMMITTEE**

- C5.1 The Committee shall be empowered to exercise and perform on behalf of the Council, all powers and duties of the Council in relation to the matters listed, which are not exhaustive.
  - C5.1.1 Make observations, to the Planning Authority on all planning applications relating to locations in the Town and significant applications relating to locations close to the town. Every planning application notified to the Council shall be recorded in the Minutes.
  - C5.1.2 Respond if appropriate to all other regulatory matters consulted on by other authorities including street closures and licensing matters.
  - C5.1.3 Consider nominations for an annual Town Enhancement Award.
  - C5.1.4 To deliver specific aims of the Council Strategy.
  - C5.1.5 To consider Highway improvement proposals for approval and forwarding to Wiltshire Council.
- C5.2 The Committee can appoint Sub-Committees and can delegate any of its powers to sub-committees.
- C5.3 The Committee is empowered to incur expenditure if it has an allocated budget provision.

## **C6. REMIT OF THE POLICY & RESOURCES COMMITTEE**

- C6.1 The Committee shall be empowered to exercise and perform on behalf of the Council, all powers and duties of the Council in relation to the matters listed, which are not exhaustive.
- C6.1.1 The democratic process.
  - C6.1.2 To respond to consultations or projects generated by other organisations, unless the nature of the consultation falls within the operational remit of other committees.
  - C6.1.3 Development of a neighbourhood plans for the area if appropriate.
  - C6.1.4 Involvement in Transforming Trowbridge and other organisations working in partnership to develop the economy of Trowbridge.
  - C6.1.5 Civic Events, civic regalia, flags and the Town Crest.
  - C6.1.6 Committee and Member Services.
  - C6.1.7 Legal Services.
  - C6.1.8 Financial procedures, including the approval of payments and receipts, Internal and External Audit and committee budgets.
  - C6.1.9 Distribution of grants.
  - C6.1.10 Personnel services and central management, including Investors In People and Training.
  - C6.1.11 Policy development.
  - C6.1.12 Initiation of significant projects identified through the Council's Strategy.
  - C6.1.13 Business Risk Assessment and Insurances.
  - C6.1.14 Review the performance of the Town Clerk.
  - C6.1.15 In relation to all activities performed by the Committee, that issues relating to Health & Safety are risk assessed and appropriately prioritised.
  - C6.1.16 Emergency Procedure and Disaster Plan for the Council.
  - C6.1.17 To bring forward proposals for the ongoing development of these services on behalf of the Town Council.
  - C6.1.18 To deliver specific aims of the Council Strategy.
- C6.2 The Committee can appoint Sub-Committees and can delegate any of its powers to sub-committees.
- C6.3 The Committee is empowered to incur expenditure where it has allocated budget provision.
- C6.4 The Civic Board will report to the Policy & Resources Committee and will be consulted on all issues relating to the operation of the Civic Centre and activities at the Civic Centre, in relation to the matters listed, which are not exhaustive.
- C7.1.1 Overseeing the management of the Civic Centre and Longfield Community Centre
  - C7.1.2 Promotion of the services and events at the properties organised by the Town Council.
  - C7.1.3 Service charges for use of the facilities and sales.

## **C7. REMIT OF THE NEIGHBOURHOOD SERVICES COMMITTEE**

- C7.1 The Committee shall be empowered to exercise and perform on behalf of the Council, all powers and duties of the Council in relation to the matters listed, which are not exhaustive.
- C7.1.1 Management of the Town Park
  - C7.1.2 Management of the town council's support to street cleansing and coordination with the Parish Steward Scheme.
  - C7.1.3 Management of the Community Services provide in partnership with the Probation Service.
  - C7.1.4 Management of the Grounds Maintenance Contracts.
  - C7.1.5 Support for Trowbridge Volunteer Gardeners, the Friends of Biss Meadows and other organisations seeking to deliver environmental improvement for the town.
  - C7.1.6 Maintenance of all of the Town Council's neighbourhood assets, including play areas, bus shelter, benches, litter bins and allotments etc.
  - C7.1.7 Approve contributions toward highway improvements and other projects requested by Wiltshire Council.
  - C5.1.8 Issues relating to the provision of public transport services, development of transport and other environmental matters including liaison with Wiltshire Council's Community Area Transport Group (CATG) and with reports made through the MyWiltshire app.
  - C7.1.9 In relation to all activities performed by the Committee, that issues relating to Health & Safety are risk assessed and appropriately prioritised
  - C7.1.10 To bring forward proposals for the ongoing development of these services on behalf of the Town Council and to oversee the management of any such developments as are undertaken.
  - C7.1.11 To deliver specific aims of the Council Strategy.
- C7.2 The Committee can appoint Sub-Committees and can delegate any of its powers to sub-committees.
- C7.3 The Committee is empowered to incur expenditure where it has allocated budget provision.

## **STANDING ORDERS - PART 4: THE PROPER OFFICER PROVISIONS AND DELEGATION TO OFFICERS**

### **D0. ROLES OF MEMBERS AND OFFICERS**

The Council's Code of Conduct – Part 3 – Member/Officer Protocol includes the following:

#### **ROLES OF MEMBERS AND OFFICERS**

##### **3.1 Members have four main roles:**

- Determining the policy of the Council and giving it political leadership
- Monitoring and reviewing the performance of the Council in implementing that policy and delivering services
- Representing the Council externally
- Acting as advocates on behalf of their constituents and the wider community

##### **3.2 Officers have the following main roles:**

- Initiating policy recommendations
- Implementing agreed policy, managing and providing the services and being accountable for the efficiency and effectiveness of the services provided
- Providing professional advice to the Council, its various bodies and individual members
- Ensuring the Council always acts in a lawful manner
- Ensuring the Town Council's finances are robust and managed correctly.

### **D1. THE PROPER OFFICER**

The Council's Proper Officer shall be the Town Clerk or such other employee appointed by the Council to undertake the role of the Proper Officer during the Town Clerk's absence. The Proper Officer shall fulfil the duties assigned to the Proper Officer or Town Clerk in legislation and standing orders.

### **D2. ROLE OF THE PROPER OFFICER**

The Council's Proper Officer shall do the following.

- D2.1 Sign and serve on councillors by delivery or post at their residences the summons and agenda of any meeting of the Council and any meeting of a committee and a sub-committee of which they are a member at least 3 clear days before the date of the meeting or if confirmed by the said councillor that receipt by post is not necessary, electronically serve on such councillors a summons and agenda, provided any such email contains the electronic signature and title of the Proper Officer.**
- D2.2 Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
- D2.3 Subject to standing orders, include in the agenda all motions in the order received unless a councillor has given written notice at least seven days before the meeting confirming his withdrawal of it.**
- D2.4 Convene a meeting of Full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office, in accordance with standing order D2.1 above.**
- D2.5 Make available for inspection the minutes of meetings.**
- D2.6 Receive and retain copies of Byelaws made by other local authorities and to certify copies of byelaws made by the Council.**
- D2.7 Receive and retain declarations of acceptance of office from councillors and the Chairman.**
- D2.8 Receive and retain a copy of every Register of Member's Interests and any changes to it. Keep copies of the same available for inspection and as appropriate make available such information on the council's own or web-site or the web-site of Wiltshire Council.**
- D2.9 Keep proper records required before and after meetings.**
- D2.10 Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.**
- D2.11 Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.**
- D2.12 Manage the organisation, storage of and access to information held by the Council in paper and electronic form.**
- D2.13 Arrange for legal deeds to be sealed using the Council's common seal and witnessed.**
- D2.14 To sign notices or other documents on behalf of the Council.**
- D2.15 Record every planning application notified to the Council and the Council's response to the local planning**

authority in the minutes of the Town Development Committee.

- D2.16 Refer a planning application received by the Council to the Town Development Committee.
- D2.17 Retain custody of the seal of the Council which shall not be used without a resolution to that effect.
- D2.18 Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

### D3. **DELEGATION TO THE TOWN CLERK**

The Town Clerk shall be empowered to exercise and perform on behalf of and in the name of and without further reference to the Council or other such appropriate committee of the Council all powers and duties of the Council in relation to the following:

- D3.1 **To implement the agreed policy of the council including day to day management and operation of administration activities, delivery of services including inspection and control and development and implementation of projects, including negotiating agreements with third parties within parameters agreed by the council.**
- D3.2 Staffing Matters: The overall management of the staff including the establishment of an officer organisation which facilitates the management of all activities, administration and services on behalf of the Council.
  - D3.2.1 the day to day supervision of direct reporting employees.
  - D3.2.2 the maintenance of staff discipline including taking appropriate action in accordance with the various procedures (absence, grievance and disciplinary etc).
  - D3.2.3 The overseeing of the Appraisal Procedure for all other staff to ensure appropriate targets are set and the staff team undertake continuous professional development training.
  - D3.2.3 The maintenance and periodic review of terms and conditions of employment and job descriptions for all staff.
  - D3.2.4 To ensure that appropriate Health and Safety procedures are maintained and implemented in compliance with the Health and Safety at Work Act 1974 as amended.
  - D3.2.5 To appoint temporary and permanent staff and implement salary and grading reviews, changes to responsibilities and job descriptions as considered necessary subject to any expenditure being both within budget and any appointments being the replacement of existing staff. Where appointments are the result of significant changes to responsibilities, additional roles or in excess of the budget available then prior approval of the service committee, the Policy & Resources Committee or the Council will be required as appropriate.
- D3.3 To ensure the development and implementation of all appropriate Operating Procedures in respect of all services provided and facilities owned or operated by the Council subject to any expenditure being within budget.
- D3.4 **Responsibility for all decisions which need to be made during a period of national mourning and cannot be postponed until after that period.**

### D4. **DELEGATION TO THE RESPONSIBLE FINANCE OFFICER**

The Responsible Financial Officer shall be empowered to exercise and perform on behalf of and in the name of and without further reference to the appropriate committee of the Council all powers and duties of the Council in relation to:

- D4.1 Arrangements for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with legislation and the Council's financial regulations.
- D4.2 The production of regular management accounts and the statutory annual accounts and the budget and precept requirement in accordance with legislation and proper practices.
- D4.3 Arrangements for the process of undertaking and reporting on the Internal Audit.
- D4.4 Arrangements for the process of undertaking, reporting and presentation to Council for approval of the External Audit.
- D4.5 Any other matters delegated to the RFO as identified in the Financial Regulations.

### D5. **DELEGATION TO SENIOR OFFICERS**

Day to day operational matters are delegated to the Town Clerk and to other senior officers both directly and from the Town Clerk and line managers, including the delegation of management of budgets and the pre-authorisation of purchases on behalf of the Council within budgetary limits:

- D5.1 The Civic Centre Manager, is delegated responsibility for authorising discounts for the hire of facilities in order to maximise financial returns, taking into account the following as considered appropriate:
  - a. Overall demand for the facility at the time, utilization levels and marginal cost of service provision.
  - b. Other elements of income such as bar takings and ticket sales
  - c. Wider benefits to the community and local charities

- d. Wider promotion of the facility to the potential audience
- D5.1.1 All such discounts should be recorded and reported in detail to the Civic Board.
- D5.1.2 A procedure will be put in place by the RFO to ensure that such discounts are managed correctly and such procedure will be reviewed by the Board including taking account of any consideration of those discounts which have been previously authorised.
- D5.1.3 The day to day Management of the Civic Centre is delegated to the Civic Centre Manager in consultation with the Civic Board, which will be consulted, prior to implementation by officers.
- D5.2 The Active Trowbridge Manager is delegated responsibility for authorising discounts for services in order to maximise financial returns, taking into account the following as considered appropriate:
  - a. Overall demand for the service at the time, utilization levels and marginal cost of service provision.
  - b. Other elements of income
  - c. Wider benefits to the community and local charities
  - d. Wider promotion of the facility to the potential clientele
- D5.3 The Museum Manager is delegated responsibility for authorising discounts for services in order to maximise financial returns, taking into account the following as considered appropriate:
  - a. Overall demand for the service at the time, utilization levels and marginal cost of service provision.
  - b. Other elements of income
  - c. Wider benefits to the community and local charities
  - d. Wider promotion of the facility to the potential visitors
- D5.4 The Council delegates responsibility for agreeing the accessioning of acquisitions to the Museum Manager in consultation with other staff, councillors and members of the Friends of Trowbridge Museum through a Collections Panel.