



Helsby Parish Council

STANDING ORDERS

including

STANDING COMMITTEES

and

ADMINISTRATIVE PROCEDURES

and

PROCEDURE FOR REVIEWING PLANNING APPLICATIONS

Adopted by the Council
14th September 1998

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Helsby Parish Council Standing Orders

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STANDING COMMITTEES

ADMINISTRATIVE PROCEDURES

PROCEDURE FOR REVIEWING PLANNING APPLICATIONS

1. Rules of debate at meetings

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- c) A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.
- d) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.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

- iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p) During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he/she/they considers has been breached or specify the other irregularity in the proceedings of the meeting he/she/they is concerned by.
- q) A point of order shall be decided by the chair of the meeting and his/her/their decision shall be final.
- r) When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s) Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her/their right of reply.
- t) Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chair of the meeting.

2. Disorderly conduct at meetings

- a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b) If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

- c) If a resolution made under standing order 2(b) is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Meetings generally

Full Council meetings	(FC)
Committee meetings	(C)
Sub-committee meetings	(SC)

- a) (FC) **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b) (FC) **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c) (C) **The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.**
- d) (FC) and (C) **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e) Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f) The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 10 minutes unless directed by the chair of the meeting.
- g) Subject to standing order 3(f), a member of the public shall not speak for more than 5 minutes.
- h) In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- i) A person shall raise his/her/their hand when requesting to speak.
- j) A person who speaks at a meeting shall direct his/her/their comments to the chair of the meeting.
- k) Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.
- l) (FC) and (C) **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or**

hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.

- m) (FC) and (C) **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- n) (FC) and (C) **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o) (FC) **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her/their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
- p) (FC) **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- q) (FC) (C) and (SC) **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights¹ present and voting.**
- r) (FC) (C) and (SC) **The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her/their casting vote whether or not he/she/they gave an original vote.**

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

- s) (FC) **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his/her/their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda. Abstentions will also be recorded if requested.
- t) The minutes of a meeting shall include an accurate record of the following:

¹ *Generally, non-councillor members of a committee or sub-committee do not have voting rights (Local Government and Housing Act 1989 ss13 (1) and (7)). Only in extremely limited situations do they enjoy voting rights. They may vote at meetings which concern the following:

- the management of land owned or occupied by the Council;
- the functions of the Council as a harbour authority;
- any function under s.144 of the 1972 Act relating to the promotion of tourism;
- any function under s.145 of the 1972 Act relating to the management of a festival; and
- advising the Council in respect of the discharge of any of its functions.

The term "management" does not include making decisions about the total amount of money which may be spent by the Council in a financial year in respect of land or a festival. See Standing Order 4 for more information about committees.

(Local Councils Explained, Meera Tharmarajah, 2013).

- i. the time and place of the meeting;
 - ii. the names of councillors who are present and the names of councillors who are absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.
- u) (FC) (C) and (SC) **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his/her/their right to participate and vote on that matter.**
- v) (FC) **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**
- See standing order 4e(iii) for the quorum of a committee or sub-committee meeting.*
- w) (FC) (C) and (SC) **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**
- x) A meeting shall not exceed a period of 2 hours (including public participation) unless the Council or Committee resolves to continue beyond this period. After 2 hours, the Chair shall normally adjourn the meeting for a five-minute recess to afford those present a comfort break.

4. Committees and sub-committees

- a) **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b) **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c) **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.** Non-councillors do not have a vote unless the committee is dealing with the management of land, harbour functions, tourism functions and festival management.

- d) At the Annual Parish Council meeting, the Council may appoint standing committees or other committees as may be necessary, and:
- i. shall determine their terms of reference;
 - ii. shall elect members and a Chair and Vice-Chair of each committee to hold office until the next Annual Meeting of the Parish Council;
 - iii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - iv. shall permit a committee and a sub-committee to determine the number and time of its meetings;
 - v. shall determine if the public may participate at a meeting of a committee;
 - vi. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - vii. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - viii. may dissolve a committee or a sub-committee.
- e) The Council has four standing (permanent) committees as defined in Appendix 1. With the exception of the Policy and Procedures Committee, these committees shall have delegated powers as listed under Appendix 1 and:
- i. The Chair and Vice-Chair of the Council shall, ex officio, be members of every committee. However, the Chair of the Council should not be appointed as Chair to any of the committees;
 - ii. Each committee should be made up of no more than 7 members including the Chair and Vice-Chair of the Council;
 - iii. Any member of the Council not being an ordinary member of a particular committee may act as a substitute member in the event of an ordinary member of a committee being unable to attend a meeting of that committee and requesting him/her so to act if the ordinary member of the committee confirms to the clerk 5 days before the meeting that they are unable to attend;
 - iv. Election to the committees will be initiated by the clerk sending out a form, prior to the Annual Meeting of the Parish Council in May each year, for councillors to indicate what committees they wish to be a member of;
 - v. Should a committee be over-subscribed, there would be a ballot by members of the Council to decide membership. Unsuccessful applicants would be placed on a "reserves list" and asked to stand in for any committee members unable to attend a meeting;

- vi. The Finance Committee should consist of the Chairs and Vice Chairs of the Environment and Parks, Cemetery and Allotments Committees and the Chair and Vice-Chair of the Council;
- vii. The chairs of all committees shall have the casting vote in the event of a tie;
- viii. The committees, in general, may incur expenditure within the Annual Budget approved for the committees by the Council in any specific financial year, and to vire the expenditure on any item so long as the overall budget provision will not be exceeded. Where the spend may exceed the overall budget of that committee for that year, it shall be considered for approval at a Full Council meeting; and
- ix. The standing committees defined in Appendix 1 may be changed at the Annual Meeting of the Council as per standing orders 4(d) and 5(j).

5. Ordinary Council meetings

- a) **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b) **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c) **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d) **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.** Meetings shall normally be held at 7pm on the second Monday of each month. The Council does not meet in August unless there are exceptional circumstances. An Annual Parish Meeting for the parish electorate shall be held in April at which occasion a Chair's Report and Financial Report for the previous financial year will be presented.
- e) **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.**
- f) **The Chair of the Council, unless he/she/they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her/their successor is elected at the next annual meeting of the Council.**
- g) **The Vice-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h) **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**
- i) **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a**

new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.

- j) Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
- i. **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his/her/their acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Unless the committee has delegatory powers, consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4;
 - ix. Review of representation on or work with external bodies and arrangements for reporting back;
 - x. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
 - xi. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence;
 - xii. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council; and
 - xiii. A review of the terms and conditions of service of existing employees. Standing Orders 11 and 19 must be read in conjunction with this requirement.

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

- a) **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b) **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two**

councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.

- c) The chair of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d) If the chair of a committee or a sub-committee does not call an extraordinary meeting within seven days of having been requested to do so by two members of the committee or the sub-committee, any two members of the committee or the sub-committee may convene an extraordinary meeting of the committee or a sub-committee.

7. Previous resolutions

- a) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b) When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. Voting on appointments

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

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

- a) A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b) No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least seven clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c) The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d) If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least five clear days before the meeting.
- e) If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the 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.

- f) The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g) Motions received shall be recorded and numbered in the order that they are received.
- h) Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

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

- a) The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a committee or sub-committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - xii. to not hear further from a councillor or a member of the public;
 - xiii. to exclude a councillor or member of the public for disorderly conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close the meeting.

11. Management of information

See also standing order 20.

- a) **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data)**

which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

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

12. Draft minutes

Full Council meetings	(FC)
Committee meetings	(C)
Sub-committee meetings	(SC)

- a) If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b) There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c) The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d) If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she/they shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chair of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his/her/their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e) (FC) (C) and (SC) **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place².**
- f) Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

² Legislation as set out in the Transparency Code 2015 – not applicable to Helsby Parish Council

13. Code of conduct and dispensations

See also standing order 3(u).

- a) All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b) Unless he/she/they 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/she/they has a disclosable pecuniary interest. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.
- c) Unless he/she/they 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/she/they has another interest if so required by the Council's code of conduct. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.
- d) **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e) A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f) A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g) Subject to standing orders 13(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.
- h) **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

14. Code of conduct complaints

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

15. Proper officer

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

See standing order 3(b) for the meaning of clear days for a meeting of a full Council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice before the meeting confirming his/her/their withdrawal of it;

- iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her/their office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed (*see also standing order 23*);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book or electronic record for such purpose;
- xv. refer a planning application received by the Council to the Chair and the Vice-Chair (if there is one) of the Council and any relevant ward members within two working days of receipt. Negotiate an extended deadline with the Local Planning Authority if the application deadline is before the next ordinary meeting of the Council or where this is not possible, facilitate an extraordinary meeting;
- xvi. manage access to information about the Council via the publication scheme;
- xvii. retain custody of the seal of the Council which shall not be used without a resolution to that effect (*see also standing order 23*); and
- xviii. record proceedings of Council and committees.

16. Responsible Financial Officer

- a) The Council shall appoint appropriate staff member(s) or councillor(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.
- b) Any powers and duties of the Council involving expenditure of not more than £500 and for which provision has been made in the budget estimates, may be exercised by the Responsible Financial Officer where there is an urgency which cannot await the next meeting of the appropriate Committee or the Council and the Responsible Financial Officer shall report to the next meeting on the delegated action he/she/they has taken.

17. Accounts and Accounting Statements

- a) "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c) The Responsible Financial Officer shall supply to each councillor a monthly statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each month;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the month being reported.
- d) At each committee meeting, the Responsible Financial Officer shall supply a comparison with the budget for the financial year and highlight any actual or potential overspends.
- e) The Council shall approve written estimates for the coming financial year at its meeting before the end of the month of January. Any Committee desiring to incur expenditure shall give the Responsible Financial Officer a written estimate of the expenditure recommended for the coming year no later than end December.
- f) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- g) The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at

least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. Financial Controls and Procurement

- a) The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b) Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c) **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d) Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in any manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;

- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e) Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f) **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**
- g) Spending by standing committees will be controlled by standing order 4(e)viii.

19. Handling staff matters

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

20. Responsibilities to provide information

See also standing order 21.

- a) **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b) **If gross annual income or expenditure (whichever is the higher) exceeds £200,000, the Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015³.**

21. Responsibilities under data protection legislation

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

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

22. Relations with the press/media

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

23. Execution and sealing of legal deeds

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

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

³ Legislation as set out in the Transparency Code 2015 – not applicable to Helsby Parish Council

24. Communicating with district and county or unitary councillors

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

25. Restrictions on councillor activities

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

26. Standing orders generally

- a) All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b) A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9. Alternatively, changes to the Council's standing orders may be recommended by the Policy and Procedures Committee following an annual review of the orders.
- c) The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d) The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

APPENDIX 1 - STANDING COMMITTEES

Powers and Responsibilities of the Environment Committee

1. To manage the following areas/facilities:
 - the land and facilities at Sherwood Court site, Lower Robin Hood Lane
 - the land and facilities at Maltby Triangle, Chester Road
 - all community noticeboards
 - any unadopted village planters
2. To keep under review emissions from any industrial sources or any other sources affecting Helsby. To receive reports on the monitoring of emissions and to recommend the Council on any action to be taken thereon.
3. To monitor highways and open spaces and report any issues to relevant bodies. To recommend to Council the issuing of letters requesting owners to cut back overhanging vegetations where these are obstructing pavements/highways. To monitor data from average speed cameras.
4. To monitor grass cutting and weed control on borough council-owned land in Helsby and to report any issues to relevant bodies.
5. To manage and keep in good repair bus shelters, benches, planters, defibrillators, Christmas decorations, litter bins, dog litter bins, grit bins and similar items in the ownership of the Council.
6. To promote schemes to improve the general environment of Helsby, including but not limited to:
 - The procurement and placement of decorative poppies throughout Helsby for Remembrance Day; and
 - The management and placement of the beacon for use for special events.
7. To propose annually a budget covering Committee responsibilities for the forthcoming financial year for consideration by Finance Committee and approval by Council.
8. To liaise with relevant community groups regarding Christmas celebrations and festive decorations and other community events.
9. To liaise with the relevant community contacts for the village planters.
10. To consider and report on matters within CWAC area which may have impact on the environment of Helsby for residents.

Powers and Responsibilities of the Parks, Cemetery and Allotments Committee

1) To manage the following areas:

Play Area and Parish Field

- Ensure inspections undertaken weekly (general maintenance contractor), monthly (play safety inspector) and annually (recognised annual play inspection company).
- Repair or replace play equipment, soft surfaces and picnic tables as required.
- Ensure grass cutting, hedge and tree maintenance work undertaken by contractor(s).
- Undertake tree safety work and replacement of trees/shrubs as required.
- Repair and maintain CCTV equipment as required.
- Repair and repaint railings/gates around play area as required.
- Maintain and ensure security of gate giving access to Parish Field.
- Repair and maintain lighting on Parish Field as required.
- Monitor and pay for electricity usage at Parish Field (meters in Scout/Guide Huts).
- Maintain other Parish Field facilities e.g. youth shelter, basketball court, path, bench, goalposts as required.
- Ensure bins emptied by CWAC (3 black bins on Parish Field) or contractor (blue bin on Parish Field, bins in play area).
- Ensure appropriate arrangements (e.g. PLI, risk assessment, indemnity agreement/licence) are in place and recorded for organisations wishing to use the Parish Field.
- Liaise with Fields in Trust before significant changes to Parish Field facilities.

Cemetery

- Ensure grass cutting, hedge and tree maintenance work undertaken by contractor(s)
- Arrange emptying of spoil heap as required.
- Undertake and record annual Health & Safety inspection by Clerk and Councillor(s).
- Arrange and record memorial safety inspection every 4 years.
- Ensure bin emptied.
- Maintain water tap (supply shared with allotment site).
- Maintain garage for use by Parish Council or contracted staff as required.
- Repair and repaint railings/gates around cemetery and maintain steps as required.
- Manage burial grants, grave-digging, interments, erection of memorials and other matters in line with Cemetery Regulations.

Allotments (at Queens Drive and Old Chester Road)

- Ensure grass cutting and hedge maintenance undertaken by contractor(s)
- Maintain a waiting list of prospective tenants and let vacant plots in line with the Allotments Policy.
- Inspect all allotment plots approximately monthly between March and October to ensure compliance with the Allotments Policy (Maintenance of Plots). Record ratings and send letters to tenants, including termination of tenancy if required, in line with the Tenancy Agreement and Allotment Policy.
- Maintain water taps at both sites and arrange turn-off over winter period.
- Monitor and pay for water usage at Queens Drive site (metered).
- Arrange PLI insurance to cover tenants at both sites.

- Undertake and record annual Health & Safety inspection by Clerk and Councillor(s).
- Monitor slow worm numbers at Old Chester Road site and report annually to CWAC Ecology/Biodiversity office*.

** planning permission condition. Information typically provided to Council by Helsby Old Chester Road Allotment Association.*

Land at Mountain View not leased to commercial tenants

- Ensure grass cutting undertaken by contractor.
- Send letter to adjacent properties at least every 5 years noting the land is owned by the Council (thereby preventing residents establishing a right of vehicular access or parking).
- Renew planning permission for HPC container as required.

2) To review at least annually the following policies/procedures and fees:

- CCTV and Surveillance Policy
- Cemetery Regulations
- Cemetery brochure
- Cemetery Risk Assessment
- Allotments Policy
- Allotments Tenancy Agreement
- Burial Fees
- Allotment Rents (typically reviewed mid-year before tenancies renew in October)
- Allotment PLI insurance re-charge to tenants

3) To monitor and review as required the following non-commercial leases:

- Leases relating to Scout Hut and Guide Hut on Parish Field
- Lease with Village Produce Association for Hut at Mountain View
- Lease with Peel for Air Quality Monitoring unit at Mountain View

4) To budget for and manage the following contracts:

- General maintenance*
- Grass cutting*
- Hedge and shrub maintenance*
- Tree survey* and any subsequent maintenance
- Monthly and annual play area safety inspections
- Allotment water supply

** includes play area/park, Parish Field, cemetery, allotments, land at Mountain View, Sherwood Court and Maltby Triangle.*

5) To monitor and plan for long term provision of play facilities, burial space and allotments to benefit Helsby residents.

- Propose new projects for consideration by Council and inclusion in Business Plan.
- Propose and monitor earmarked reserves.

- 6) To propose annually a budget covering Committee responsibilities for the forthcoming financial year for consideration by Finance Committee and approval by Council.
- 7) To consider and report on matters within CWAC area which may have impact on recreational and cemetery facilities for Helsby residents.

Powers and Responsibilities of the Finance Committee

1. To monitor the finances of the Council.
2. To review the recommendations of the other committees and to recommend to the Council the Annual Budget provisions.
3. To recommend to the Council the Precept for the coming Financial Year.
4. To review and recommend to the Council the amount available for remuneration & associated costs of the staff employed by the Council.
5. To monitor the application of the specified reserves projects
6. To consider and recommend to the Council the timetable and levels of expenditure required to meet the long-term capital schemes approved by the Council.
7. To keep under review the arrangements with the Helsby Community Association relating to the use of the Community Centre, licensing and expenditure thereon.
8. To keep under review the Council's insurance requirements and Policy conditions and to make recommendations in relation to changes to the Council's insurance where necessary.
9. To review annually, the terms and conditions of any land and property in the ownership of the Council or where there is a shared responsibility for such land and property except where allocated to other committees.
10. To review, annually, the list of Council assets, including variations in the value of Council assets and the writing off of damaged or missing assets.
11. To consider and report to the Council on any supplementary budget expenditure recommended by the committees.
12. To review, annually, the Council's 'Financial Regulations'.
13. To carry out, annually, Financial Risk Assessment.
14. To review, annually, the Council's 'Fixed Asset Policy'.
15. Where the Council has entered, as lessor, into a commercial lease, to manage the agreement and rent reviews.
16. To agree the terms and conditions of a lease where the Council is lessee.
17. To produce, review and update a 5-Year Business Plan including the tracking of S106 and CIL payments.
18. Generally, to incur expenditure within the Annual Budget approved for the Finance Committee by the Parish Council in any specific financial year, and to *vire* the expenditure on any item so long as the overall budget provision will not be exceeded.
19. To recommend to Council to approve any changes in car mileage, subsistence and other allowances in accordance with national recommendations.

POLICY AND PROCEDURES COMMITTEE (Standing but advisory only)

Functions:

1. To keep under review the following Council policies and procedures:
 - Standing Orders
 - Publication Scheme
 - Freedom of Information Policy
 - General Privacy Notice
 - Privacy Notice for Staff, Councillors and Role Holders
 - Social Media Policy
 - Appraisal and Training Policy
 - Programme for New Councillors
 - Councillor Induction Package
 - Code of Conduct
 - Complaints Procedure
 - Grievance Procedure
 - Disciplinary Procedure
 - Equality and Diversity Policy
 - Health and Safety Policy
 - Lone Working Policy and Risk Assessment
 - Retention and Disposal of Documents Policy
2. To consider and recommend the adoption of any new relevant policies and procedures to Council.
3. To maintain a list of all Council policies and procedures and to assign responsibility and review dates for all documents.

APPENDIX 2 - ADMINISTRATIVE PROCEDURES

1. AGENDA

Ordinary Council meetings shall include the following business:

- Public Participation (a period of up to 10 minutes for members of the public to ask questions or submit comments).
- Apologies for absence.
- Declarations of Members' Interests and requests for dispensations.
- Policing Update.
- Confirmation of Previous Minutes.
- Clerks' report from the previous meeting not covered elsewhere in the agenda.
- Chair's Announcements.
- Communications from Cheshire West and Chester Council, including reports and other matters relating to the principal authority.
- Minutes of any committees and sub-committees
- Miscellaneous Matters
- Councillor surgery update.
- Outside Body Reports from representative members.
- Responses to planning applications.
- Financial matters including approval of payments.
- Outstanding actions log.
- Dates of the next meetings.

2. MINUTES

Minutes of meetings shall include an outstanding action log to trace progress of an item through the Council. Draft minutes will be displayed on the Council website within 2 weeks of the meeting.

3. PLANNING APPLICATIONS

All planning applications will be dealt with in accordance with Appendix 3 (as attached to this document) "Helsby Parish Council procedure for reviewing planning applications".

4. IDENTIFICATION CARDS

All members and staff of the Council as well as its contractors shall be provided with official identification cards primarily for use when visiting properties in connection with Council business.

5. CORRESPONDENCE

- a) The Clerk shall receive all correspondence and shall arrange for matters requiring decision by the Council or a Committee of the Council or considered likely to be of significant interest to residents to be placed on the Agenda for the next meeting of the appropriate body.
- b) The Clerk shall convey the decisions of the Council or the appropriate Committee to the correspondent as soon as possible after the meeting.
- c) The Clerk shall keep a list of outstanding matters before the Council or Committee which are awaiting response for others or decision of the Council or Committee.

- d) Copies of relevant correspondence relating to matters on the Agenda for the Council or a Committee or considered to be of significant interest to residents shall be sent to the appropriate Chair with the Agenda for the meeting.
- e) On a weekly basis, the Clerk shall acquaint the Chair of the Council with the salient details of correspondence received, for follow-up as deemed appropriate – e.g. meetings or consultations requiring a response before the next full Council meeting.

6. COMMITTEES

- a) If a Committee Chair has not requested (with the exception of the Policy and Procedures Committee) a meeting of the Committee in the past three months, the Clerk should call a meeting of that committee without consultation.
- b) Advanced notification of all Council and committee meetings, and surgery dates & rota, will be posted soon after the Annual Meeting of the Parish Council held in May for the ensuing municipal year.

7. COUNCILLORS

- a) That within 6 months of being elected/co-opted, it is expected that the new member(s) will complete their induction programme on roles and responsibilities.
- b) Councillors will also be encouraged to undergo ongoing training as befitting their role.
- c) The Clerk will keep a record of councillors attending training.
- d) The Clerk will keep an annual record of committee membership and function (if Chair or Vice Chair) of each councillor and any representation on external local public bodies (if nominated to represent the Council).

8. COUNCILLORS' SURGERIES

The Council will hold monthly surgeries to take place on the first Saturday of every month (with the exception of Bank Holiday weekends) from 10am to 11am with at least 2 councillors. CW&C Ward Councillor also to be invited to attend.

9. POLICY REVIEWS

The Council's policies will show version number and the date reviewed.

APPENDIX 3

PROCEDURE FOR REVIEWING PLANNING APPLICATIONS AND SCHEME OF DELEGATION

All applications should be reviewed with regard to the Helsby Neighbourhood Plan 2015-2030 and other relevant local and national planning policies.

1) Receipt of Applications

- a. As soon as an application is received, the Clerk (in consultation with council members, if necessary), shall decide if it is sufficiently contentious or complex enough to justify a public consultation. Such applications might typically include sites with multiple dwellings (greater than 10), developments affecting local infrastructure, amenities or facilities, and those which may impact on the community as a whole. If a public consultation exercise is required, the Clerk will approach the developer (where relevant) to request/arrange an event prior to the council submitting comments to the local planning authority (CW&C).
- b. Within 3 days of receiving a planning application notification, the Clerk shall forward details to each council member and enter the following particulars into a register:
 - the date on which it was received;
 - the planning application number;
 - the name of the applicant;
 - the site address;
 - the details of the proposal;
 - the ward to which it relates; and
 - the date by which a response is required.

In due course, the Clerk will also record in the same register a summary of the council's response to each application and the decision made by CW&C.

2) Review of Applications

- a. Council members from the relevant ward as well as the Chair and Vice Chair shall review the application via the CW&C website. Other council members may also review and provide input. They should then advise the Clerk and other council members of their preferred response via e-mail from the options below by a specific deadline as defined by the Clerk (typically a few days before the next Full Council meeting):
 - Option A: Helsby Parish Council has no objections;
 - Option B: Helsby Parish Council has objections as described;
 - Option C: Helsby Parish Council does not object to or support the application but has comments or seeks safeguards as described; or
 - Option D: Helsby Parish Council supports the application.
- b. Any objections or comments should include the reason(s) why an application does or does not conform to a particular planning policy and should only consider those

aspects which are relevant to the council's role. Comments may include photographs, Google Streetscene images etc.

- c. In exceptional circumstances, the Clerk may provide hard copies of application documents upon request.
- d. If CW&C's response deadline falls before the next Full Council meeting, the Clerk may, in exceptional circumstances (e.g. the complex/detailed nature of the application), contact CW&C to request an extension.
- e. If an extension is not granted, the Scheme of Delegation as set out below shall apply.

3) Responding to CW&C and Decisions

- a. Each Full Council agenda will include a list of all the current planning application notifications and the majority recommendation from members, if available in time. Where any detailed comments/objections have been provided, the Clerk will include these with the agenda pack for information.
- b. Following agreement at the council meeting or through the delegation arrangements as set out below, the Clerk will submit the agreed response via the CW&C website by the required deadline. If the planning application has been the subject of a public consultation, this will be noted in the response.
- c. Any planning decisions made by CW&C will be shared by the Clerk at Full Council meetings.

4) Viewing of Plans by Local Residents

- a. Planning applications can be viewed online: www.cheshirewestandchester.gov.uk and local residents can submit comments online, by email or by post. CW&C also notify neighbouring properties about planning applications and provide details of how to view and comment.
- b. If a local resident contacts the Clerk about a specific planning application, the Clerk will liaise with members and provide any assistance as required.
- c. The Clerk will provide a copy of Helsby Parish Council's response to a local resident if requested.

Planning Scheme of Delegation

Helsby Parish Council has approved the following scheme of delegation⁴ for dealing with planning applications received between the July and September Full Council meetings, and for all occasions where a planning response is required before a Full Council meeting is held and an extension cannot be agreed with CW&C:

⁴ The Scheme of Delegation (s101 of the 1972 Local Government Act), provides for delegating authority to the Clerk for making decisions on behalf of the council as and when appropriate.

- i. provided the application is straightforward and non-contentious the majority recommendation of at least three councillors from an e-mail consultation will prevail. In such a case, the Clerk has delegated authority to submit the recommendation as HPC's recommendation and these delegated decisions will be recorded and reported publicly at the next Full Council meeting: or
- ii. Where a planning application is deemed to be contentious or complex, the council may convene an extraordinary meeting in the usual way for the purpose of debating and determining its recommendations for submission ahead of the deadline for comments.