

Dear Councillors

Lyndhurst High Street pavements.

Some of you may remember that the discussion before the High Street was reduced to a single traffic lane was directed not at restricting traffic flow but at improving the safety of pedestrians using the then narrow pavements and sometimes sharing them, all too intimately, with the mirrors of vehicles passing through.

Since then, the benefit of the wider pavements has been progressively eroded by the encroachment of advertising and merchandise by a number of traders. Polite requests made informally or formally have met with no useful response.

I feel that the stage has been reached where it is time to say 'enough is enough' and to move from requests to enforcement action. Many traders are completely innocent but, as is so often the case, the actions of a minority spoil things for everyone. The pavements are there for pedestrians not as rent free display areas for the traders.

Please, dear Councillors, **GIVE US BACK OUR PAVEMENTS!**

Yours sincerely

Tony Herbert

Past Parish Councillor

Past Chairman, Lyndhurst, Emery Down & Bank Residents' Association

Lyndhurst resident for 32 years

Accounts due for payment	Amount	VAT	Total
NFNPA			
Copies of local plan	40.00	0.00	40.00
Play Inspection Co			
Annual inspection of playground	130.00	26.00	156.00
Fireguard Services			
Servicing of fire equipment Cemetery	27.00	5.40	32.40
Salaries			
C Gibbs	312.00	0.00	312.00
M Weston	1674.10	0.00	1674.10
M Weston Expenses	64.83	0.00	64.83
ITEC			
Photocopier charges January 2020	38.36	7.67	46.03
Hampshire Association of Local Councils			
Training session on 12.2.2020	400.00	80.00	480.00
MINT Garden Services			
Lengthsman Scheme	180.00	36.00	
Amenities - noticeboard in shelter	20.00	4.00	
Amenities - tree maintenance Great Mead	120.00	24.00	
Recreation - ditch clearance & equip maint	102.00	20.40	
Cemetery - maintenance/materials/chapel	1193.00	238.60	
			1938.00
NFDC			
CCTV Oct - March 2020	366.00	0.00	366.00
Total	4667.29	442.07	5109.36

LYNDHURST PARISH COUNCIL

Bank Reconciliation - 01.01.2020 - 31.01.2020	
Opening Balance - 01.01.2020	143,238.58
New Income	7545.00
Sub-total	150,783.58
Payments made	11,599.53
Total	139184.05
Balance at 31.01.2020	139184.05



Signed _____

Date _____

Lyndhurst Parish Council Accounts Report

2019/20: January (Month 10)

BUDGET TO MONTH 10: 2019 % = 83%	YTD TOTALS			FULL YEAR		ACTUAL VS FORECAST	Notes
Details	Actual	Budget	Variance	Approved Budget	Forecast	(%) 75	Budget vs. forecast
INCOME							
A0 - Reserves carried over	102,015.37	102,015.37	-	102,015.37	102,015.37	100.00 %	
A1 - HMRC VAT refund	7459.9	4,299.83	(3,160.07)	4,299.83	10,000.00	74.60 %	
A1 - Precept	90,000.00	90,000.00	-	90,000.00	90,000.00	100.00 %	All payments made
A2 - HCC Lengthsman scheme	1,100.00	1,000.00	(100.00)	1,000.00	1,100.00	100.00 %	Includes £100 payable to Clerk for administration
A3 - Burials & grave purchases	24,292.25	9,375.00	(14,917.25)	11,250.00	26,000.00	93.43 %	Income greater than expected
A4 - Allotment rents	2,604.50	1,667.00	(937.50)	2,000.00	2,700.00	96.46 %	
A5 - Training Event	1,000.00						Unexpected income
A5 - Calendar	1,000.00	1,000.00	-	1,000.00	1,000.00	100.00 %	Ineos grant for calendar
A6 - Micellaneous	1,634.80	-	(1,634.80)	-			
Total INCOME	231,106.82	209,357.20	(20,749.62)	211,565.20	232,815.37	99.27 %	above target
EXPENDITURE							
B - Office Costs							
B1 - Landlord: rent/insurance/utilities	10,151.24	10,151.24	-	11,500.00	11,500.00	88.27 %	Expenditure as expected
B2- NFDC rates (office)	4,879.15	5,421.15	542.00	6,169.15	8,223.71	59.33 %	Expenditure as expected
B3 - Telephone	506.05	562.00	55.95	675.00	560.00	90.37 %	Expenditure as expected
B4 - Photocopier	2,956.51	230.00	(2,726.51)	460.00	1,200.00	246.38 %	Expenditure more than expected
B5 - Window cleaning	396.00	159.33	(236.67)	478.00	478.00	82.85 %	Expenditure as expected
B6 - Stationery/Miscellaneous items	1,215.00	-	-		1,300.00	93.46 %	
Total Office Expenditure	20,103.95	16,523.72	(2,365.23)	19,282.15	23,261.71	86.43 %	
C - Central Costs							
C1 - HALC - Fee/SLCC/NALC Levy	932.00	932.00	-	712.00	712.00	130.90 %	Expenditure as expected
C2- LCDA room hire, adverts, printing, IT	2,733.20	750.00	(1,983.20)	1,500.00	1,500.00	182.21 %	Expenditure as expected
C3 - Lengthsman	360.00	1,000.00	640.00	2,000.00	2,000.00	18.00 %	£1K funded by HCC grant
C4 - Misc (Inspections, servicing, repairs etc)	2,976.49	5,000.00	2,023.51	10,000.00	10,000.00	29.76 %	

C5 - Staffing costs	24,665.57	20,475.00	(4,190.57)	24,570.00	27,555.00	89.51 %	Appointment of RFO
Total Central Expenditure	31,667.26	28,157.00	(3,510.26)	38,782.00	41,767.00	75.82 %	
D - Allotment Costs							
D1 - Utilities, ground rent	990.00	300.00	(690.00)	900.00	900.00	110.00 %	Expenditure as expected
D2- MINT Grounds maintenance	2,785.00	1,250.00	(1,535.00)	2,500.00	2,500.00	111.40 %	
Total Allotments Expenditure	3,775.00	1,550.00	(2,225.00)	3,400.00	3,400.00	111.03 %	
E Cemetery Costs							
E1 - Utilities	578.92	450.00	(128.92)	900.00	900.00	64.32 %	Expenditure as expected
E2- MINT Grounds maintenance	15,912.77	9,500.00	(6,412.77)	19,000.00	19,000.00	83.75 %	Burial costs difficult to predict, costs largely covered by income
E3 - NFDC rates (cemetary)	1,848.56	2,054.56		2,054.56	2,054.56	89.97 %	
E4 - Miscellaneous	378.79						
Total Cemetery Expenditure	18,719.04	12,004.56	(6,541.69)	21,954.56	21,954.56	85.26 %	
F - Planning	175.00	-		-			
Total Planning Expenditure	175.00	-	-	-	-	-	
G - Recreation Costs							
G1 - Forestry Commission: rent	650.00	162.50	(487.50)	650.00	650.00	100.00 %	Expenditure as expected
G2- MINT Grounds maintenance	6,594.97	5,250.00	(1,344.97)	10,500.00	10,500.00	62.81 %	
G3 - Miscellaneous	178.50						
Total Recreation Expenditure	7,423.47	5,412.50	(1,832.47)	11,150.00	11,150.00	66.58 %	
H - Amenities Costs							
H1 - MINT Grounds maintenance	2,378.00	1,000.00	(1,378.00)	2,000.00	2,000.00	118.90 %	Expenditure as expected
H2- Misc (Village Walks, expenses)	150.92	50.00	(100.92)	200.00	200.00	75.46 %	
H3 - NFDC (G Mead and dog bins)	1,106.00						
Total Amenities Expenditure	3,634.92	1,050.00	(1,478.92)	2,200.00	2,200.00	165.22 %	
I - VAT to be reclaimed	6,693.17						
Total VAT	6,693.17	-	-	-	-	-	
Total EXPENDITURE	92,191.81	64,697.78	(17,953.57)	96,768.71	103,733.27	88.87 %	
Expenditure - Income (excl. carry forward)					129,082.10		



Draft Disciplinary Policy

1 Introduction

- 1.1 This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/CHttpHandler.ashx?id=1047&p=0>). It also takes account of the ACAS guide on discipline and grievances at work <http://www.acas.org.uk/media/pdf/b/l/Discipline-and-grievances-Acas-guide.pdf>. The policy is designed to help Council employees improve unsatisfactory conduct and performance in their job. Wherever possible, the Council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.
- 1.2 The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
- 1.3 This policy confirms:
- the Council will fully investigate the facts of each case
 - the Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used to when performance management proves ineffective. For more information see the ACAS publication "How to manage performance" at <http://www.acas.org.uk/media/pdf/m/0/How-to-manage-performance-advisory-booklet.pdf>
 - employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case
 - employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any disciplinary, investigatory or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case.
 - the Council will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submission.
 - If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date.
 - any changes to specified time limits in the Council's procedure must be agreed by the employee and the Council.
 - information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the Data Protection Act 1998.

- recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's medical condition.
- employees have the right to appeal against any disciplinary action. The appeal decision is final.
- if an employee who is already subject to the Council's disciplinary procedure, raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure.
- disciplinary action taken by the Council can include an oral warning, written warning, final written warning or dismissal.
- except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct.
- if an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it.
- the Council may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the Council's and the employee's consent.

2 Examples of misconduct

2.1 Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct:

- unauthorised absence
- poor timekeeping
- misuse of the Council's resources and facilities including telephone, email and internet
- inappropriate behaviour
- refusal to follow reasonable instructions
- breach of health and safety rules.

3 Examples of gross misconduct

3.1 Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct:

- bullying, discrimination and harassment
- incapacity at work because of alcohol or drugs
- violent behaviour
- fraud or theft
- gross negligence
- gross insubordination
- serious breaches of health and safety rules
- serious and deliberate damage to property
- use of the internet or email to access pornographic, obscene or offensive material
- disclosure of confidential information.

4 Examples of unsatisfactory work performance

4.1 The following list contains some examples of unsatisfactory work performance:

- inadequate application of office procedures
- inadequate IT skills
- unsatisfactory management of staff
- unsatisfactory communication skills.

5 Disciplinary Investigation

5.1 The Council Staff Disciplinary and Grievance Committee will appoint an Investigator who will be responsible for undertaking the investigation - a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a councillor. If the Staff Disciplinary and Grievance Committee considers that there are no councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be appointed as soon as possible after the allegations have been made. The Staff Disciplinary and Grievance Committee will inform the Investigator of the terms of reference of the investigation. The terms of reference should deal with the following:

- what the investigation is required to examine
- whether a recommendation is required
- how the findings should be presented. For example, an investigator will often be required to present the findings in the form of a report
- who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.

5.2 The Investigator will be asked to submit a report within 20 working days of appointment. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the Council may decide to commence disciplinary proceedings at the next stage (see Section 6).

5.3 The Staff Disciplinary and Grievance Committee will first notify the employee in writing of the alleged misconduct and ask him/her to attend a meeting with the Investigator. The employee will be given at least five working days' notice of the meeting with the Investigator so that he/she has reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee should be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when he/she meets with the Investigator, he/she will have the opportunity to comment on the allegations of misconduct.

5.4 Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.

5.5 If there are other persons (eg employees, councillors, members of the public or the Council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.

5.6 The Investigator has no authority to take disciplinary action. His/her role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the Staff Disciplinary and Grievance Committee whether disciplinary action should be taken.

5.7 The Investigator's report will contain his/her recommendations and the findings on which they were based. He/she will recommend either:

- the employee has no case to answer and there should be no further action under the Council's disciplinary procedure

- the matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally or
 - the employee has a case to answer and there should be action under the Council's disciplinary procedure.
- 5.8 The Investigator will submit the report to the Staff Disciplinary and Grievance Committee which will decide whether further action will be taken.
- 5.9 If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

6 The Disciplinary Meeting

- 6.1 If the Staff Disciplinary and Grievance Committee decides that there is a case to answer, it will appoint a Disciplinary Committee of three councillors. The Disciplinary Committee will appoint a Chairman from one of its members. The Investigator shall not sit on the Disciplinary Committee. No councillor with direct involvement in the matter shall be appointed to the Disciplinary Committee. The employee will be invited, in writing, to attend a disciplinary meeting. The Disciplinary Committee's letter will confirm the following:
- the names of its Chairman and other two members.
 - details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting.
 - a copy of the investigation report, all the supporting evidence and a copy of the Council's disciplinary procedure.
 - the time and place for the meeting. The employee will be given reasonable notice of the hearing (at least 15 working days) so that he /she has sufficient time to prepare for it.
 - that witnesses may attend on the employee's and the Council's behalf and that both parties should inform each other of their witnesses' names at least five working days before the meeting.
 - that the employee and the Council will provide each other with all supporting evidence at least five working days before the meeting. If witnesses are not attending the meeting, witness statements will be submitted to the other side at least five working days before the hearing.
 - that the employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.
- 6.2 The disciplinary meeting will be conducted as follows:
- the Chairman will introduce the members of the sub-committee to the employee.
 - the Investigator will present the findings of the investigation report.
 - the Chairman will set out the Council's case and present supporting evidence (including any witnesses).
 - the employee (or the companion) will set out his/her case and present evidence (including any witnesses).
 - any member of the sub-committee and the employee (or the companion) may question the Investigator and any witness.
 - the employee (or the companion) will have the opportunity to sum up his/her case.
 - the Chairman will provide the employee with the sub-committee's decision with reasons, in writing, within five working days of the meeting. The Chairman will also notify the employee of the right to appeal the decision.
 - the disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

7 Disciplinary action

- 7.1 If the Disciplinary Committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action imposed as a result of the disciplinary meeting will remain in force unless and until it is modified as a result of an appeal
- 7.2 If the Disciplinary Committee decides that there should be disciplinary action, it may be any of the following:

Oral warning

- 7.3 An oral warning is issued for most first instances of minor misconduct. The Council will notify the employee:
- of the reason for the warning, the improvement required (if appropriate) and the time period for improvement.
 - that further misconduct/failure to improve will result in more serious disciplinary action.
 - of the right to appeal.
 - that a note confirming the oral warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for six months.

Written warning

- 7.4 If there is a repetition of earlier misconduct which resulted in an oral warning, or for different and more serious misconduct, the employee will normally be given a written warning. A written warning will set out:
- the reason for the written warning, the improvement required (if appropriate) and the time period for improvement
 - that further misconduct/failure to improve will result in more serious disciplinary action
 - the employee's right of appeal
 - that a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for 12 months.

Final written warning

- 7.5 If there is further misconduct during the period of a written warning or if the misconduct is sufficiently serious, the employee will be given a final written warning. A final written warning will set out:
- the reason for the final written warning, the improvement required (if appropriate) and the time period for improvement
 - that further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal
 - the employee's right of appeal
 - that a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for 18 months.

Dismissal

- 7.6 The Council may dismiss:
- for gross misconduct

- if there is no improvement within the specified time period in the conduct which has been the subject of a final written warning
- if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

7.7 The Council will consider very carefully a decision to dismiss. If an employee is dismissed, he/she will receive a written statement of the reasons for his/her dismissal, the date on which the employment will end and details of his/her right of appeal.

8 The Appeal

8.1 An employee who is the subject of disciplinary action will be notified of the right of appeal. His/her written notice of appeal must be received by the Council within five working days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.

8.2 The grounds for appeal include;

- a failure by the Council to follow its disciplinary policy
- the Disciplinary Committee's decision was not supported by the evidence
- the disciplinary action was too severe in the circumstances of the case
- new evidence has come to light since the disciplinary meeting.

8.3 The Appeal will be heard by a panel appointed by the Staff Disciplinary and Grievance Committee consisting of three councillors who have not previously been involved in the case. This includes the Investigator. If so, the appeal panel will be a committee of three members of the Council who may include members of the Staffing Committee. The appeal panel will appoint a Chairman from one of its members.

8.4 The employee will be notified, in writing, within 10 working days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that he/she may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.

8.5 At the appeal meeting, the Chairman will:

- introduce the panel members to the employee
- explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the Disciplinary Committee
- explain the action that the appeal panel may take.

8.6 The employee (or his companion) will be asked to explain the grounds for appeal.

8.7 The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within five working days of the appeal hearing.

8.8 The appeal panel may decide to uphold the decision of the Staffing Committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.

8.9 If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.

8.10 The appeal panel's decision is final.



Draft Grievance Policy

1 Introduction

- 1.1 This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/CHttpHandler.ashx?id=1047&p=0>). It also takes account of the ACAS guide on discipline and grievances at work. (<http://www.acas.org.uk/media/pdf/b/l/Discipline-and-grievances-Acas-guide.pdf>). It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
- 1.2 Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with the Council Chairman.
- 1.3 This policy confirms:
- employees have the right to be accompanied or represented at a grievance meeting or appeal by a workplace colleague, a trade union representative or a trade union official. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for his/her grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case
 - the Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date
 - any changes to specified time limits must be agreed by the employee and the Council
 - an employee has the right to appeal against the decision about his/her grievance. The appeal decision is final
 - information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the Data Protection Act 1998
 - recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's medical condition
 - if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure
 - if a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith
 - the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or

allegations of bullying or harassment). Mediation is a dispute resolution process which requires the Council's and the employee's consent.

2 Informal Grievance Procedure

- 2.1 The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with the Council Chairman to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with the Council Chairman (for example, because it concerns the Chairman), the employee should contact the Chairman of the Staff Disciplinary and Grievance Committee or, if appropriate, another member of the Staffing Committee.

3 Formal Grievance Procedure

- 3.1 If it is not possible to resolve the grievance informally, the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the Staffing Committee.
- 3.2 The Staff Disciplinary and Grievance Committee will appoint a Grievance Committee of three members to investigate the grievance. The Grievance Committee will appoint a Chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the Grievance Committee.

4 Investigation

- 4.1 The Grievance Committee will investigate the matter before the Grievance Meeting which may include interviewing others (e.g. employees, councillors or members of the public) .

5 Notification

- 5.1 Within 10 working days of the Council receiving the employee's grievance, the employee will be asked, in writing, to attend a grievance meeting. The sub-committee's letter will include the following:
- the names of its Chairman and other members
 - a summary of the employee's grievance based on his/her written submission
 - the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will be within 25 working days of when the Council received the grievance
 - the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
 - a copy of the Council's grievance policy
 - confirmation that, if necessary, witnesses may attend on the employee's behalf and that the employee should provide the names of his/her witnesses at least five working days before the meeting
 - confirmation that the employee will provide the Council with any supporting evidence at least five working days before the meeting.

6 The Grievance Meeting

- 6.1 At the grievance meeting:
- the Chairman will introduce the members of the Grievance Committee to the employee.
 - the employee (or companion) will set out the grievance and present the evidence.

- the Chairman will ask the employee what action does he/she wants the Council to take.
- any member of the sub-committee and the employee (or the companion) may question any witness
- the employee (or companion) will have the opportunity to sum up the case.
- the Chairman will provide the employee with the Grievance Committee's decision, in writing, within five working days of the meeting. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal.
- The Grievance Meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

7 The Appeal

- 7.1 If an employee decides that his/her grievance has not been satisfactorily resolved by the Grievance Committee, he/she may submit a written appeal to the Staffing Committee. An appeal must be received by the Council within five working days of the employee receiving the Grievance Committee's decision and must specify the grounds of appeal.
- 7.2 Appeals may be raised on a number of grounds, eg:
- a failure by the Council to follow its grievance policy
 - the decision was not supported by the evidence
 - the action proposed by the Grievance Committee was inadequate/inappropriate
 - new evidence has come to light since the grievance meeting.
- 7.3 The Appeal will be heard by a panel appointed by the Staff Disciplinary and Grievance Committee and consisting of three councillors who have not previously been involved in the case. The Appeal Panel may include members of the Staffing Committee. The appeal panel will appoint a Chairman from one of its members.
- 7.4 The employee will be notified, in writing, within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will take place within 25 working days of the Council's receipt of the appeal. The employee will be advised that he/she may be accompanied by a workplace colleague, a trade union representative or a trade union official.
- 7.5 At the appeal meeting, the Chairman will:
- introduce the panel members to the employee.
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee.
 - explain the action that the appeal panel may take.
- 7.6 The employee (or his/her companion) will be asked to explain the grounds of his/her appeal.
- 7.7 The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within five working days of the appeal meeting.
- 7.8 The appeal panel may decide to uphold the decision of the Staff Disciplinary and Grievance Committee or substitute its own decision.
- 7.9 The decision of the appeal panel is final.

LYNDHURST PARISH COUNCIL

STAFF DISCIPLINE AND GRIEVANCE COMMITTEE



Terms of Reference

1. Role of the Committee

The Parish Council will establish a Committee to be known as the Staff Discipline and Grievance Committee whose sole purpose will be to implement the Staff Discipline and Grievance policies.

2. Composition of the Committee

The Committee will consist of three Councillors, one of whom will be the Chairman. It is recommended that the Chairman of the Parish Council is not a member of, or ex officio to the Staff Discipline and Grievance Committee. As with all committees and sub committees of the Parish Council, the Clerk should attend all meetings unless the meeting has been convened to discuss issues relating to the Clerk.

3. Meetings of Committee

Meetings will be convened if a disciplinary matter or a staff grievance is brought to the attention of the Chairman of the Staff Discipline and Grievance Committee and informal stages of the Staff Discipline and Grievance policies have not resolved the matter

4. Agenda and Papers

The Committee Chairman will set the agenda for the meeting based on the issues brought to his or her attention. Because of the likely sensitivity of the matters to be discussed, electronic papers will not be circulated in advance; hard copies will be circulated at the meeting. These papers may be collected back in at the end of the meeting at the Chairman's discretion.

5. Quorum

All three members of the Committee must be present to constitute a quorum.

6. Minutes

Formal minutes will be taken and distributed for consideration by the members within ten days of the meeting. Once approved they will be recorded as confidential minutes and will not be reported to the Parish Council.

7. Authority

The Committee is authorised by the Parish Council to investigate and act solely upon such matters as detailed in the Staff Discipline and Grievance policies.



LYNDHURST PARISH COUNCIL

STANDING ORDERS

Adopted 14 May 2019 (Amended December 2019)

Draft Amendments 14 January 2020

Introduction

Standing orders are the written rules of the Parish Council. They are used to confirm the Council's internal organisational, administrative and procurement procedures and procedural matters for meetings. They are not the same as the policies of the Council but they may refer to them.

Meetings of full council, councillors, the Responsible Financial Officer and Proper Officer are subject to many statutory requirements. These standing orders confirm the statutory requirements and put in place procedural rules for the number, place, quorum, notices and other procedures for committee and sub-committee meetings because these are subject to fewer statutory requirements.

Throughout these Standing Orders the masculine terms "Chairman", "Man", "His" etc are used for brevity and clarity. They may refer to either male or female gender as relevant and appropriate to the context.

These Standing Orders are based on Model Standing Orders produced by the National Association of Local Councils (NALC).

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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 chairman 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 chairman 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 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 chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his 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 chairman.
- j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman 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 of 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 chairman 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 last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.

- p During the debate of 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 considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

- q A point of order shall be decided by the chairman of the meeting and his 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 requirements.

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

- t Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the chairman 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 chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3 Meetings Generally


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




- a **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 **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 **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- ■ d **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. [Members of the public intending to address the meeting are encouraged to register with the Clerk before the meeting.](#)




Priority will be given to those who have given notice in advance.

- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) above shall not exceed ten minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f) above, a member of the public shall not speak for more than three minutes.
- h In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i A person shall raise his or her hand when requesting to speak.
- j A person who speaks at a meeting shall direct his comments to the chairman of the meeting and give their name. A person speaking during the public participation session will also confirm as to whether they want their name recorded in the minutes of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
-   l **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 **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 **The press shall be provided with reasonable facilities for the taking of their report of all or part of the meeting at which they are entitled to be present.**
-  o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-**

Chairman of the Council (if there is one).

 **p The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

   **q Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**




   **r The chairman 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 casting vote whether or not he gave an original vote.**

See standing orders 5(i) and (j) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.

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

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

- i. the time and place of the meeting;
- ii. the names of councillors present and 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 A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

- v **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 4d(viii) below for the quorum of a committee or sub-committee meeting.

- ■ ■ o **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.**
- p A meeting shall not exceed a period of two hours.

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.**
- d The council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer three days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own

- chairman at the first meeting of the committee;
- viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee;
- x. 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;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee.

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 new councillors elected take office.**
- b In a year which is not an election year, the annual meeting of a 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 7.15 pm.**
- 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 directs.**
- e The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman of the Council.**
- f All Councillors who wish to be considered for the position of Chairman and/or Vice Chairman must declare their intention to stand for nomination as Chairman and/or Vice Chairman at the April meeting of the Parish Council.**
- g The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council.**
- h The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the council.**
- i In an election year, if the current Chairman of the Council has not been re-elected as a member of the council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of**

the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.

- j In an election year, if the current Chairman of the Council has been re-elected as a member of the council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- k Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the council, the business of the annual meeting shall include:
- i. In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
 - 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. 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 above;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. 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;
 - xiii. Review of inventory of land and assets including buildings and office equipment;
 - xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
 - xv. Review of the council's and/or staff subscriptions to other bodies;
 - xvi. Review of the council's complaints procedure;
 - xvii. Review of the council's procedures for handling requests made under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*).
 - xviii. Review of the council's policy for dealing with the press/media;

- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under S.137 of the Local Government Act 1972 or the general power of competence;
- xxi. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

6 Extraordinary meetings of the Council and Committees and Sub-Committees

- a **The Chairman of the Council may convene an extraordinary meeting of the council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.**
- c The chairman 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 chairman of a committee or a sub-committee does not or refuses to call an extraordinary meeting within fourteen days of having been requested by to do so by two members of the committee or the sub-committee, any two members of the committee and the sub-committee may convene an extraordinary meeting of a committee and 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 two councillors to be given to the Proper Officer in accordance with standing order 9 below, 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) above has been disposed of, no similar motion may be moved within a further six months.

8. Voting on Appointments

- a Voting shall take place by secret ballot. 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 chairman 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 which it is tabled for 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 three 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) above, 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) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least three 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 chairman 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 Subject to standing order 9(e) above, 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 in a book for that purpose and numbered in the order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their 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 sensitive 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 requirements);
- xvi. to adjourn the meeting; or
- xvii. to close a meeting

11 Councillor Attendance at Meetings

- a If a councillor wants his absence from a meeting to be approved by the council, he should submit his written request together with the reason for absence before the meeting takes place. A councillor cannot continue in office if he fails to attend a meeting of the council, a committee, sub-committee (or joint committee joint board or similar body by which any of the council's functions are being discharged or which are advising the council about the discharge of its functions) for a period of six consecutive months and the reason for his absence has not been formally approved before the expiry of the six month period (s85(1) of the 1972 Act). Approval cannot be retrospective. However, an addition would be added to show that any Councillor failing to attend a meeting for three months would be contacted as a welfare measure.
- b The minutes of the meeting must record if it resolved to approve a councillor's absence from the meeting, and if possible, the councillor's reason for absence. The recording of such information must not conflict with a council's duty to handle personal data or sensitive personal data in accordance with its obligations under data protection legislation (Legal Topic Note 38 – data protection).

12 Management of Information

See also standing order 21

- 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 (eg 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.**

13 Draft minutes

- 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) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, 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.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The chairman 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 view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."
- e **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12€ and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of the meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

14 Code of conduct and dispensations

See also standing order 3(u) above.

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the 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 the Proper Officer or 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) above, a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required or 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) above if having regard to all relevant circumstances the following applies:**

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

15 Code of conduct complaints

- a Upon notification by the District 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 above, 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 Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 14(d).
- c The council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - 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.**

16 Proper Officer

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(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 and a sub-committee**
 - o **serve on councillors a summons by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (providing the councillor has consented**

to service by email)

- **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) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a committee.

- ii. subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least three days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his 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. retain acceptance of office forms from councillors;
- vii. retain 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. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- x. manage the organisation, storage of, access to 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 (eg the Limitation Act 1980);
- xi. arrange for legal deeds to be executed;
See also standing order 23 below.
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- xiii. record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;
- xiv. refer a planning application received by the council to the Chairman of the Planning Committee or in his absence the Chairman of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the committee;
- xv. manage access to information about the council via the publication scheme;
and
- xvi. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.
See also standing order 23 below.

17 Responsible Financial Officer

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

18 Accounts and accounting statements

- 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 as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the council's receipts and payments for each quarter;
 - ii. the council's aggregate receipts and payments for the year to date;
 - iii. the balances held at the end of the quarter being reported

which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

- d 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 for the last quarter and the year to date for information; and
 - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

19 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 is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- 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 a local newspaper and in any other 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.

20 Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of

council or Finance and General Purposes Committee is subject to standing order 11 above.

- b Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chairman of the Council of absence occasioned by illness or other reason and that person shall report such absence to the Parish Council at its next meeting.
- c The chairman of the Parish Council, or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of employees. The reviews and appraisal shall be reported in writing and is subject to approval by resolution.
- d Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee (or other employees) shall contact the chairman of the Parish Council or in his absence the Vice Chairman of the Parish Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Parish Council
- e Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by an employee of the Council relates to the chairman or vice-chairman of the Parish Council this shall be communicated to another member of the Parish 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).

21 Responsibilities to provide information

- 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.**

22 Responsibilities under Data Protection Legislation

- a. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- b. **The Council shall have a written policy in place for responding to and managing a personal data breach.**

- c. **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.**
- d. **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.**
- e. **The Council shall maintain a written record of its processing activities.**

23 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.

24 Execution and sealing of legal deeds

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

- 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.**

25 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 councillors of the District and County Council representing the area of the council.
- b Unless the council determines otherwise, a copy of each letter sent to District and County Council shall be sent to the ward councillor(s) representing the area of the council.

26 Restrictions on Councillor activities

- a. Unless authorised by a resolution, 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.

27 Standing Orders Generally

- a All or part of a standing order, except one that incorporates mandatory statutory

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 requirements, shall be proposed by a special motion, the written notice by at least seven councillors to be given to the Proper Officer in accordance with standing order 9 above.
- 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 chairman of a meeting as to the application of standing orders at the meeting shall be final.

LYNDHURST PARISH COUNCIL

PLANNING COMMITTEE

Terms of Reference



1. The Planning Committee is constituted as a Standing Committee of Lyndhurst Parish Council. The Committee composition shall be a minimum of four Councillors with three members of the Planning Committee constituting a quorum.
2. The Chairman and Vice Chairman to be elected annually by the Committee.
3. A record of all planning applications, the Committee's responses and eventual results shall be noted in the minutes of meetings.
4. The Committee has delegated executive powers to consider all planning applications pertaining to Lyndhurst Parish and to respond to the New Forest National Park Authority.
5. The Planning Committee may canvas opinions for and against applications to assist with fair determination of applications. The Committee has an obligation to ensure that relevant parties are given adequate hearing – applicants, as well as objectors, will have the opportunity to speak at meetings in accordance with the Parish Council standing orders.
6. Any controversial applications shall be referred to the full Parish Council. A time sensitive response may be made by the Committee Chairman or Clerk following a majority decision by the Committee. Any two Councillors may request an application be deferred for a meeting of the Full Parish Council.
7. Where an on site visit is arranged it will be subject to the prior approval of the Chairman or Vice-Chairman. A Committee member will then present findings to the Committee.
8. Where an application goes to the NFNPA Planning Committee for a decision the Chairman or a Committee member may represent Lyndhurst Parish Council to speak on their behalf.
9. Where an application is subject to an appeal, the Committee is authorised to make written representation or to elect a member of the Committee to attend the hearing.
10. All correspondence shall be conducted through the Clerk of the Parish Council wherever possible.
11. Minutes of all meetings are to be kept by the Clerk and forwarded by email to members of the Parish Council.
12. After authorisation all minutes will be displayed on the Parish Council website.
13. The Committee will usually meet monthly or as the workload requires, with a minimum of three days clear notice given by email to the Committee and the public notified on the website.
14. All members will attend a planning training session within a year of appointment and further training at least every four years.
15. The Chairman and Vice Chairman of the Full Council are ex officio members of the Committee and entitled to vote.



LYNDHURST PARISH COUNCIL

ANNUAL PARISH MEETING TUESDAY 17 MARCH 2020

**To be held at The Crown Manor Hotel,
Lyndhurst at 7.30 pm**

A G E N D A

- 1. Apologies for absence**
- 2. Minutes of the Annual Parish Meeting held on 19 March 2019**
- 3. Matters Arising**
- 4. Chairman's Report**
- 5. County Councillor's Report**
- 6. District Councillor's Report**
- 7. Resolutions**

**The Annual Parish Meeting will be followed by refreshments,
community engagement and the Parish Champion Awards 2019**

- ❖ Community Spirit Award**
- ❖ Youth Achievement Award**
- ❖ Environmental Awareness Award**
- ❖ Parish Champion**