



Dear Councillor

You are HEREBY SUMMONED to attend a meeting of the Parish Council to be held on **Wednesday 17 January 2024 at 7.00pm** at Elton Community Centre for the purpose of transacting the business set out on the agenda below.

Lara Jacob

11 January 2024

Members of the public and the press are welcome to attend. Please be aware that the council may take a vote to exclude the press and public if any items to be discussed contain information about an individual's personal circumstances or about a commercial contract or legal advice.

If you have any general enquiries about the meeting, please contact Lara Jacob, the Clerk to the Parish Council at: parishclerk@eltonparishcouncil.co.uk
tel: 07871 614665

AGENDA

1. Apologies

To receive apologies for absence.

2. Declarations of Interest

Councillors are reminded of their responsibility to declare any disclosable pecuniary or non-pecuniary interest which they have in any item of business on the agenda no later than when the item is reached. Declarations are a personal matter for each councillor to decide and the decision to declare, or not, is the responsibility of the councillor.

3. Items for discussion in closed session

To consider if any items on the agenda, because of the nature of the information which might be disclosed, should be discussed with the exclusion of the press and public. Items should be identified no later than when the item is reached and a proposal should be moved for a full council decision on exclusion. Reasons for exclusion will be recorded in the minutes.

4. Public Participation

4.1 PCSO Report

4.2 Presentation on the Protos Carbon Dioxide Spur Pipeline Proposed Development

4.3 Members of the Public

4.4 CWaC Ward Councillors Report

4.5 Elton Allotments

5. Minutes

To agree that the minutes of the meeting held on 11 December 2023 are a true record and on resolution be signed by the Chair (enclosed).

6. Matters to note or resolve from other meetings

6.1 Community Outside Spaces Working Group

To note that an application has been made to the Shared Prosperity Fund for a grant to enhance and connect the community buildings, school, Scout HQ and field areas.

6.2 Jubilee Field Committee

6.2.1 To receive an update on the progress on the field.

6.2.2 To consider a proposal to erect trellis around the water container as a cost of £430. A Members Budget Grant application for £330 towards the cost of the trellis has been made and accepted.

6.2.3 To consider a proposal that the costs of refreshments for the team working on the field are met by the parish council.

6.2.4 To consider a proposal that investigations to rectify the drainage issues on the field should be undertaken.

7. Reports

7.1 Chair

7.2 Councillors

7.2.1 Cllr Lockhart – report on parish councils held at the shops in the last month.

7.2.2 Other Councillors Reports

Cllr. O'Reilly – feedback from attendance at Northern Rail meeting about the installation of an outdoor gym

Cllr. O'Reilly – feedback from attendance at Protos Community Forum

8. Planning

8.1 Applications received for comment:

(Details of the applications were circulated on receipt)

23/03900/FUL Land At Ash Road Elton Chester

Proposal: Construction and operation of a battery energy storage system (BESS) and ancillary equipment.

<http://tinyurl.com/27r95tjy>

8.2 Applications decided by Cheshire West and Chester Council

No decisions have been notified to date.

9. Budget and Precept for 2024-2025

9.1.1 To consider the budget proposal for Financial Year 2024 – 2025 (enclosed)

9.1.2 To consider the level of precept that should be requested to be billed to residents by Cheshire West and Chester.

10. Finance

10.1 To note income received in December 2023.

From CWaC Members Budget - £2000.00

10.2 To resolve the following payments made since the last meeting:

Payee	Goods or Service provided	Paid	Net	VAT	Gross
PAID					

Staff Salaries and HMRC	December 2023	15 Dec	1376.38	0.00	1376.38
PKF Littlejohn	External Audit	27 Dec	355.00	71.00	426.00
D Hardman		7 Dec	30.98	0.00	£30.98
Morrey & Son		27 Dec	237.37	7.48	244.85
M J Mountford	Hedge Cut Scout Hut Lane	27 Dec	120.00	24.00	144.00
Hammer and Tongs		22 Dec	98.29	0.00	98.29
Peninsula	HR Support	22 Dec	122.73	23.18	145.91
Unity Trust Bank	Quarterly Charges	31 Dec	18.00	0.00	18.00
Andy Eardley	Christmas tree; Bollard repair; removal of bench	5 Jan	955.00	0.00	955.00
			3313.75	125.66	3439.41

10.3 **To resolve** the following payments to be made following the meeting:

FUTURE PAYMENTS				
Payee	Goods or Service provided	Net	VAT	Gross
Peninsula	HR Services	122.73	23.18	145.91
Northwich Town Council	Christmas Lighting	5,470.00	1,094.00	£6,564.00
Haines Watts	Payroll Services Unpaid March 2023 bill	80.00	16.00	96.00
Haines Watts	Payroll Services 3 rd quarter	60.00	12.00	72.00

10.4 **To note** the following:

Bank Reconciliation:	Opening Balance	04/12/2023	36,698.88
	Add: Income		2000.00
	Less: Expenditure		3439.41
	Plus: unrepresented payments		
	(Bank Charges)		18.00
	(Andy Eardley)		<u>955.00</u>
	Closing Balance	27/12/23	36,232.47

A councillor who is not a signatory to the bank account to verify these figures by signature on the statements presented (**enclosed**)

10.5 **To consider** a request from the Community Centre for a grant of £5,000 to match fund monies already received from Protos for the refurbishments that have been completed and that are planned for the Community Centre.

11. Parish Council Land and Assets

11.1 **To note** that £2,000 has been received from the Member's Budget towards the cost of the cast iron bollards, that the bollards have been ordered at a cost of £5466.00 (ex VAT) and that the delivery date will be in late May 2024.

11.2 **To consider** the quotation of £352 for the supply of two signs for the community centre car park and installation estimated at £50..

11.3 **To note** a quotation for the installation of the fencing at £1150 which, with materials of £1393 brings the total cost of the project to £2543, within the budget of £3,000 agreed at the December 2023 meeting.

To agree to the invoice for the fencing being paid upfront before the goods are ordered (**enclosed**).

11.4 **To discuss** quotations received for the removal of the plinths from the planters.

11.5 **To discuss** quotations received for additional cctv at the Community Centre.

11.6 **To discuss** the quotation from Northwich Town Council for the repairs to the parish field (**enclosed**). NTC have also been asked to look at the condition of the surfaces and equipment at Sorbus Close.

11.7 **To discuss** the arrangements for the annual play area inspection.

12. **Governance**

12.1 **To consider** the adoption of the Standing Orders presented (enclosed)

12.2 **To consider** the draft Risk Management Register presented and discuss additions and amendments prior to adoption (**enclosed**)

13. **Consultations**

13.1 **To consider** a response to Cheshire West and Chester Statement of Licensing Policy- Hackney (Taxi) and Private Hire policy:

<https://www.smartsurvey.co.uk/s/HackneyandPrivateHireconsultation2023/>

13.2 **To consider** a response to Cheshire West and Chester Future of Transport consultation: <https://participatenow.cheshirewestandchester.gov.uk/local-transport-plan-4-phase-1>

14. **Future Agenda Items**

To note any matters for consideration at the next meeting.

15. **Date and Time of next meeting**

Monday 12 February 2024 at 7.00pm at Elton Community Centre.

16. **Matters to be discussed in the absence of the press and public**

Public Bodies (Admission to Meetings) Act 1960 s.2

A body may, by resolution, exclude the public from a meeting whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for some other special reasons stated in the resolution and arising from the nature of that business of the proceedings; and where such a resolution is passed, this Act shall not require the meeting to be open to the public during proceedings to which the resolution applies.

PRESENT: Cllrs Serna (Chair), Canham (arrived 7.25pm) Heatley (arrived 7.34pm) Highcock, Leith, Lockhart, O'Reilly (arrived 7.28pm), Spencer and Williams.
In attendance: Lara Jacob (Parish Clerk), PCSO Flanagan (from 7.22pm to 7.32 pm), no members of Elton Gardeners Association and no member of the public.

23.180. Apologies

Apologies were received and accepted from Cllr. Hardman.

23.181. Declarations of Interest

No declarations were made.

23.182. Items for discussion in closed session

No items were identified for discussion with the exclusion of the press and public.

23.183. Public Participation

183.1 PCSO Report

[PCSO Flannigan arrived at 7.22pm and this item was taken after Item 7.2.1]
PCSO Flannigan presented the monthly report which included an incident of fuel theft from the motorway services. The TruCam device had been deployed on Ash Road and the Speed Indicator Device deployed on School Lane and Ince Lane. In addition, a non-enforceable Speedwatch session had been held with the Junior Safety Officers from Elton Primary School. A talk on the role of the PCSO had been given to Elton Rainbows and Brownies; parking outside Elton Primary School had been monitored in response to concerns raised. PCSO Flannigan had attended the Christmas Fair and had distributed security devices and information at the Spar supermarket. A police surgery is due to be held at the Community Centre on Saturday 30 December from 10 to 11 am.

183.2 Members of the Public

No members of the public were present.

183.3 CWaC Ward Councillors Report

(Cllr. Parker had given apologies)

Cllr. Heatley reported that applications received for the Member's Budget will be approved in full and that applications were still invited for funding from local organisations.

183.4 Elton Allotments

No representatives were present.

23.184. Minutes

Resolved that the minutes of the meeting held on 13 November 2023 were a true record and on resolution were signed by the Chair.

23.185. Matters to note or resolve from other meetings

185.1 Community Outside Spaces Working Group

The group had met to discuss the opportunity to bid for Levelling-Up funding and had prepared a scheme that would link the Community Centre, doctor surgery, school and parish field, improving safety and access. Three quotations for the scheme had been sought to inform the application process. The result of the bid will be known early 2024.

185.2 Jubilee Field Committee

Cllr. Leith reported that the fruit trees had been delivered; that the community payback team would be working to clear overgrown areas on the field from 17 December 2023; that a meeting had taken place on site with Mary Lavery of CWaC and an offer of fruit tree whips free of charge had been made; that two councillors would attend a free training session on fruit tree maintenance in January; that a quotation for £430 had been obtained for installing a trellis surround to the rainwater collector. It was agreed that a funding request would be made to the CWaC Member's Budget for a contribution towards the costs. An email would be sent to Cheshire Wildlife Trust to enquire about the woodland creation scheme.

23.186. Reports

186.1 Chair

The Chair thanked those involved in delivering the Christmas Light Switch on event, which had been very enjoyable and a success in bringing the community together.

186.2 Councillors

186.2.1 Cllr Lockhart reported on parish surgeries held at the shops in the last month. Concerns about the brightness of the lighting and the styling of the signage had been raised about the newly opened retail premises. Advice will be sought from CWaC Planning regarding any conditions which were served with the approval notice.

The Speedwatch scheme, which had been administered by CWaC was to change and come under the Police and PCSO Team.

Cllr. Lockhart also reported that the recent very wet weather had meant that the dog park surface was currently not suitable for use. It was agreed that Cllr. Lockhart should seek quotations for having the dog parks rolled and reseeded.

186.2.2 Other Councillors Reports

Cllr. O'Reilly reported that the Northern Rail meeting about the installation of an outdoor gym had not yet taken place and that the Protos Community Forum was being held on 12 December 2023.

Cllr. Highcock reported that a reply from Mersey Rail to an enquiry about extending the rail service to cover Elton and Ince had been forwarded to the relevant department of the Liverpool and Merseyside Combined Authority.

Cllr. Canham reported that an online introduction to the Peel Ports representative of the Community Benefit Fund had taken place.

Cllr. Heatley reported that he had been elected as the Chair of the Protos Community Fund .

23.187. Planning

187.1 Applications received for comment:

The following plans had been received after the issue of the agenda:

23/02328/FUL 15 Holm Drive, Elton

Proposal: Two storey side extension, single storey part two storey front extension and single storey rear extension. Erection of side garage.

23/03767/FUL Glebe House Ince Lane Elton Chester CH2 4LU

Proposal: Proposed two storey rear extension; demolishing of conservatory, replaced with ground floor office and first floor bedroom.

It was agreed that the Planning Working Group will consider if a response should be sent and circulate the response to all councillors. If the plans were such that they should be discussed at a public meeting then an extension to the consultation period would be requested.

187.2 Applications decided by Cheshire West and Chester Council were noted:

23/02781/TPO 33 Coppice Green Elton Chester CH2 4RH

1x Oak tree (on the land behind 33 Coppice Green) - permission to prune/crown the branches by 3-4 feet.

Approved - <https://tinyurl.com/yc4kupr4>

23/03361/FUL 40 Coppice Green Elton Chester CH2 4RH

Proposal: Demolition of existing conservatory, erection of single storey rear extension.

Approved - <https://tinyurl.com/3x672yx2>

23.188. Finance

188.1 Income received in November 2023 was noted as follows:

Cheshire West and Chester Member's Budget £1644.00

188.2 It was noted that the following payments, agreed at the November meeting had been paid:

Payee	Goods or Service provided	Paid	Net	VAT	Gross
PAID					
Clays Gardening Services	October Maintenance	03 Nov	876.37	0.00	876.37
Elton Scouts	Firework Event Donation	4 Nov	500.00	0.00	500.00
Staff Salaries and HMRC	November 2023	15 Nov	1660.68	0.00	1660.68
P O'Reilly	Reimbursement of costs of Selection Boxes	15 Nov	237.60	0.00	237.60
Then Media	Website hosting costs	15 Nov	462.00	92.40	554.40
T McNally	Materials and labour for erection of Jubilee Field Shelter	17 Nov	1900.00	0.00	1900.00
Elton Community Centre	Hire for flu clinic	17 Nov	210.00	0.00	210.00
CWaC	Uncontested election costs (from May 2023)	17 Nov	213.00	0.00	213.00
Peninsula	Monthly HR support	27 Nov	122.73	23.18	145.91
			6182.38	115.58	6297.96

The ongoing contract with Peninsula was discussed and it was agreed that, should the terms of the contract allow, notice will be served to terminate.

Cllr. Serna advised that the procedure to add the clerk to the Unity Trust Bank as an administrator had been clarified by calling the bank. The access permissions for Cllr. Wilson and the former clerk, Ms. Bellis had been removed and it had been established that Cllrs. Lockhart and O'Reilly were named as signatories on the account. Cllrs. Lockhart and O'Reilly counter-signed the bank mandate to add the clerk to the bank account.

188.3 **Resolved** the following payments to be made following the meeting:

Payee	Goods or Service provided	Net	VAT	Gross
PKF Littlejohn	External Auditor Fees	355.00	71.00	426.00
D Hardman	Cleaning supplies for play area	30.98		30.98
Morrey & Son	Fruit Trees for Jubilee Field	237.37	7.48	244.85
		623.35	78.48	670.85

188.4 Councillor Spencer who is not a signatory to the bank account, verified the figures below by signature on the bank statement presented:

Bank Reconciliation: Opening Balance	41352.84
Add: Income	1644.00
Less: Expenditure	6297.96
Closing Balance	36698.88

188.5 Budget Proposal and Precept Setting

188.5.1 The list of future projects and implications for the budget in Financial Year 2024-2025 was presented for discussion.

188.5.2 The budget proposal for Financial Year 2024 – 2025 was presented for discussion.

Items 188.5.1 and 188.5.2 were deferred to be discussed at a separate finance meeting to be held on Monday 8 January 2024.

188.6 The report from the External Auditor was received and considered. The comments made were noted and an action plan to address the issues raised was already in place, following the advice contained in the Internal Auditor's report.

23.189. **Community Winter Gritting Scheme**

Following a request from a resident for the Parish Council to facilitate the setting up of a winter gritting scheme, residents were asked to comment and volunteer through the Elton Village Chat Facebook page. It was felt that the response was not strong enough to set up a volunteer scheme similar to that operating in Frodsham this year. A proposal was discussed to buy and fill two grit bins, one at Greenbank and the other at Orchard Close.

Resolved that, if permission was given by CWaC Highways, two grit bins and enough grit to fill them would be purchased to a maximum cost of £3,000.

23.190. **Parish Council Land and Assets**

190.1 Condition survey of playground on Parish Field

It was agreed that additional quotations for the repair of the playing surface and equipment would be sought as the supplier had, to date, been unable to provide one.

190.2 The quotations received for the repair/replacement of the perimeter fencing at the Parish Field were discussed.

Resolved that the cost of the materials (£1540) was accepted and that a maximum spend of £3,000 was assigned to the project to include installation.

190.3 No quotations had been received for the removal of the plinths from the planters.

190.4 Cllr. Heatley indicated that the request for funding for the installation of cast iron bollards around the green would be awarded. The bollards would now be ordered and indication were that the lead time would be twenty weeks. Meantime, a firm quotation for installation would be sought.

190.5 No quotations had been received for additional cctv at the Community Centre.

190.6 The wording of the signage to be purchased to indicate that the Community Centre Car Park is private property and that parking is provided and prioritised for users of the Centre and the Surgery had been circulated prior to the meeting and was agreed.

A quotation will be sought for a pole-mounted sign and a wall/fence-mounted sign. Elton Primary School will be approached to ask permission for mounting a sign on their perimeter fencing. A letter will be prepared to request a car parked in the car park for lengthy periods of time is removed.

190.7 Cllr. Leith had observed that the litter bin next to the bench in the play area on the Parish Field had signs to indicate that dog waste could be placed in the bin. It was agreed that this was not desirable and that the pictorial signs would be covered to discourage co-mingled waste in that bin.

23.191. Events

191.1 Cllr. O'Reilly had provided a report earlier in the meeting of the Christmas Lights Switch On event. The Community Events Committee had discussed expanding the event for Christmas 2024.

Favourable comments about the lighting motifs had also been received.

191.2 **Resolved** that a Working Group consisting of Cllrs. Canham, O'Reilly and Spencer is established to bring forward ideas to full council on the D-Day Commemoration celebrations planned for 6 June 2024.

23.192. Future Agenda Items

The following items will be included for consideration at the next meeting: budget proposal and precept-setting.

23.193. Date and Time of next meeting

It was agreed that a budget setting meeting would take place on Monday 8 January 2024 at 7.00pm at Elton Community Centre and that the next full council meeting would be held on Wednesday 17 January 2024 at 7pm at Elton Community Centre.

The meeting closed at 8.55pm

Income	2022-23	2023-24	Where we were in Dec (9/12ths through)	Where we will be by 31 March	2024 - 25	Notes
Money carried forward from previous year	22281.83	20762.51	20762.51	20762.51	19200	This is a rough estimate for 24.25
Precept	47000	47000	47000	47000	54105	The balancing figure which is the difference between G15 and G56 plus money for new projects
PCC grant for Dog Park	636	0	0	0	0	Won't be income in this category next year
Lottery grant for Pump Track	10000	0	0	0	0	Won't be income in this category next year
Protos grant for Pump Track	5000	0	0	0	0	Won't be income in this category next year
S106 grant for Pump Track		0	0	0	0	Won't be income in this category next year
CWaC Members Allowance			3810	4000	2000	
Repayment of VAT	17000	5487	0	2000	5000	
Manweb / National Grid	14.69	14.69	0	15	15	
Other possible grants			100	100	10000	
	101932.52	73264.2	71672.51	73877.51	90320	
Payments						
Staff Costs	20532.05	20500	14196	20000	20000	
Clerk's Monthly allowance	170	120	0	45	300	
Training (included in Admin before)	0	300	0	100	300	Put this in - specific!!
Travel	43.2	50	0	0	50	
Total People Costs (excl. salaries)			0	145	650	

Postage & Stationery	124.33	150	76	100	100	
Insurance	786.55	1300	0	1300	1500	
Audit	340	350	1060	1060	1000	
Fees & Subscriptions	1033.64	1100	1062	1062	1300	
Information Commissioner - Annual Fee	0	35	35	35	40	
Peninsula Business Services	1327.92	1500	1002	1500	?	Are we wrapping this contract up?
Haines Watts - Payroll Services	610	280	120	240	300	
Bank Charges	72	72	54	72	80	
Admin	679.8	50	0	0		Take this line out - it's too vague!
Website / IT	1849.92	470	555	555	1500	Extra to help spruce it up
Contested Election	0	2189.6	213	213	200	
Miscellaneous			214	250	200	Defib pads in 23.24
Community Centre Hire costs	313.9	400	232	300	300	
VAT	2865.16	5487	1500	2000	5000	11520
Total Office Costs			6123	8687	11520	
Grounds Maintenance	4238.43	6500	8297	9000	10000	Extra maintenance for Jubilee Field?
Open Spaces	3686.74	0	216	400		Should this just go in with Grounds Maintenance or a line for Jubilee Field/Dog Park?
Play Area/Pump Track	2786.31	90	0	500	500	For repairs/inspection
Dog Park			380	380	400	
Pump Track	32565	0	0	0	0	Amalgamated with Play Area budget
Planters	0	330	0	350	400	
Total Assets			8893	10630	11300	
Jubilee Field			2138	2500	2000	

Christmas Tree	0	800	770	770	1000	
Christmas Lights (Northwich Town Council)	0	1750	5470	5570	2000	
Christmas Event (selection boxes)			550	550	250	
Total Events			6790	6890	3250	
Grants	1000	1000	950	1200	1000	
Loan to be paid back			3812	3812	0	
Poppy Wreaths		82	47	47	100	
Total Grants			4809	5059	1100	
Community Projects	0	5000	0	3000	31500	
General Reserve (3 months net expenditure)					9000	
Grand Total expenditure	75024.95	49905.6	42949	56911	90320	
Balance at bank end Dec -	36200					
Maybe another £17k to be spent	17000					
Possible carry over	19200					
New Projects for FY 24.25						
Noticeboards					1000	Could be part funded
New Bollards					5000	GOT 2000 from Members Budget
CCTV for Community Centre					2500	
Sorbus Close refurbishment					20000	Hoping for funding of around £10k
Village Boundary Gates (aka posh gates)						Possible FY 25/26

Website redesign						Included above
Crown Green Bowls Pitch						Future Project
Outdoor Gym						Possible 25/26 or 24/25 if money becomes available
Running Track						Future Project
Boules area						Future Project
Football Pitch						Future Project
Multi-use games area (MUGA)						Future Project
Increasing the number of planters through the village						Future Project
Project on land across from the Rigger						Future Project
Jubilee Field projects						Included above
Tree planting, hedgerow planting, tree stump grinding						Future Project
Village trail enhanced with additional benches					3000	to fund about 5 benches
A celebration of the village as the centre of new technologies						Future Project
Neighbourhood Plan (like Ince)						Future Project
Outdoor space Community Centre						Future Project
Car Park signage						23/24 project
D-Day beacon/celebrations					?	24/25 project
Community Heating System (maybe solar, maybe heat source pump)						Future Project
Community Transport Offer						Future Project
Ince and Elton "proper" railway service (to lobby for)						Lobby
Youth Shelters (perhaps linked to bench village trail)						Future Project linking with PCC?

Youth Provision via services such as the Army Cadets						To pursue but no budget allocated
Integration project involving CWaC Gypsy and Traveller Officer/Police Gypsy and Traveller Officer						To pursue but no budget allocated
					31500	

Narrative to accompany Proposed budget 2024/25

This document should be read in conjunction with the spreadsheet document and is provided to explain, in words, why the proposed amounts for next year's budget (which runs from April 2024 to March 2025) have been suggested.

Income

For FY 23/24 the parish council received about £4k in grants, which was added to the £47k precept and £20.7k that was left over from FY 22/23, so a total of £71.7k. There will also be about £2k of VAT to be refunded, but this is balanced out by the fact that we have already paid it out.

For FY24/25 the forecast for income from grants is £12k, plus £5, 015 for VAT reclaim and wayleave payments and £19200 carry forward from FY23/24. This makes a forecast of £36, 215 before the precept is calculated.

Expenditure

This gets broken down into quite small categories, but for ease, here is a summary of what has been paid out up to December 2023 and is likely to have been paid by March 2024. The final column is the proposal for 24/25:

	What this includes	Paid to December 2023	Paid by March 2024	Proposed for FY 24/25
Salaries	Salaries and HMRC payments	14196.00	20000.00	20000.00
Other People costs	Travel; work from home allowance; chairs allowance; training	0.00	145.00	650.00
Office Costs (Admin stuff like computer costs, stationery)	Email and website hosting; miscellaneous stationery; auditor fees; HR fees; ICO fees; payroll services; bank charges; insurance; election fees; ChALC membership	6123.00	8687.00	11520.00
Grants	Money the PC has paid to others/donations made	997.00 (plus loan of 3812)	1247.00 (plus loan of £3812 if not repaid)	1100.00
Events	Christmas	6790.00	6890.00	3,250.00

Asset Maintenance	Includes Parish Field, Play Areas, Pump Track, Dog Park, Planters and other infrastructure through the village, buildings [Scout Hut; Community Centre]	8893.00	10630.00	11300.00
Jubilee Field	(separate because it has its own budget)	2138.00	2500.00	2000.00
Community Projects (Detail below)	Fencing Project	0.00	3000.00	31500.00
General Reserve (advised minimum 3 months)				9000.00
Total		42949 (with loan)	56911.00 (with loan) 53099 without	90 320.00

Precept Calculation

Forecast expenditure is £90, 320.

Forecast Income is £36, 215 (which includes carry forward monies from FY23/24 and possible grants of £12k)

The balancing figure needed is £54, 105

Cost per Band D household

CWaC have advised that there are 1074.8 Band D= properties in Elton and therefore to raise the balancing figure of £54, 105 requires a Band D= charge of £50.33 which represents an increase of £6.51 on 23/24 (£43.82) and a percentage rise of 14.9%.

Detail of Community Projects discussed:

	Likely Budget	Likely Timescale
Noticeboards		1000
New Bollards		5000
CCTV for Community Centre		2500
Sorbus Close refurbishment		20000
Village Boundary Gates (aka posh gates)		Possible FY 25/26
Website redesign		Included above
Crown Green Bowls Pitch		Future Project
Outdoor Gym		Possible 25/26 or 24/25 if money becomes available
Running Track		Future Project
Boules area		Future Project
Football Pitch		Future Project
Multi-use games area (MUGA)		Future Project
Increasing the number of planters through the village		Future Project
Jubilee Field projects		Future Project
Tree planting, hedgerow planting, tree stump grinding		Included above
Village trail enhanced with additional benches		Future Project
A celebration of the village as the centre of new technologies	3000	to fund about 5 benches
Neighbourhood Plan (like Ince)		Future Project
Outdoor space Community Centre		Future Project
Car Park signage		Future Project
D-Day beacon/celebrations	?	24/25
Community Heating System (maybe solar, maybe heat source pump)		
Community Transport Offer		Future Project
Ince and Elton "proper" railway service (to lobby for)		Future Project
Youth Shelters (perhaps linked to bench village trail)		Lobby
Youth Provision via services such as the Army Cadets		Future Project linking with PCC?
Integration project involving CWaC Gypsy and Traveller Officer/Police Gypsy and Traveller Officer		To pursue but no budget allocated
Total	31500	

Preamble to Standing Orders

1. Title and Area

The Council shall be called the Elton Parish Council and operate in the area specified in the Statutory Order setting up the Parish Council or in any subsequent amendment.

2. Definitions

Unless the sense suggests otherwise, any reference to 'Council' or 'the Council' means the Elton Parish Council and any reference to 'the Clerk' means the Clerk of the Council. The expression 'Chairman' means the Chairman of the Council.

3. Functions

The functions of the Council shall be to:

- (a) Exercise such power and duties as are laid upon it by these rules
- (b) Exercise such powers and duties as are laid upon it by statute
- (c) Exercise such powers and duties as are laid upon it by delegation from the Cheshire West and Chester Council or their successors in title
- (d) Protect, preserve, enhance and promote bio-diversity within the parish of Elton
- (e) Protect, enhance and promote the collective interests and wellbeing of the residents of the parish of Elton
- (f) Make representations to Cheshire West and Chester Council (or their successors in title) and any other statutory body or public utility on matters affecting the residents of the area of Elton parish.
- (g) Stimulate and foster support for approved policies of the Council.

4. Constitution

- (a) The Council shall consist of ten Members elected by the electors of the parish of Elton or such other number as may be specified by the Borough Council which shall not be less than five and such co-opted Members as the Council may determine.
- (b) All Councillors shall retire together in every ordinary year of election of such Councillors on the fourth day after the ordinary day of election of

such Councillors and the newly elected Councillors shall come into office on the day on which their predecessors retire.

5. Financial and Administrative Year

The Financial and Administrative year of the Council shall be in the period commencing on the first day of April and ending on the thirty-first day of March the following year.

STANDING ORDERS

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

These Standing Orders are based on the National Association of Local Council Model Standing Orders (England) 2018.

They have been adopted by Elton Parish Council by resolution on (date) (minute ref) and will be reviewed annually thereafter.

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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 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 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 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 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 Chair 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 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 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 3 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 ●
- 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.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed **30 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 3 minutes.

Commented [EP1]: What time limit should be set?

- 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 who speaks at a meeting shall direct his comments to the Chair of the meeting.
 - j 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.
 - k **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.**
 - l **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
 - m **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.**
 - n **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 absence be done by, to or before the Deputy Chair of the Council (if there is one).**
 - o **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Deputy Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Deputy Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
 - p **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 rights present and voting.**
 - q **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 casting vote whether or not he 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.*
- r **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.

- s 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 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.
- t **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.
- u **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) for the quorum of a committee or sub-committee meeting.
- v **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.
- w A meeting shall not exceed a period of 2 and a half hours.

Commented [EP2]: Do we want to keep 2.5 hours or reduce to 2?

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 the 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), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), 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 5 days before the meeting that they are unable to attend;
 - vi. shall permit a committee to appoint its own Chair at the first meeting of the committee;
 - vii. 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;
 - viii. shall determine if the public may participate at a meeting of a committee;
 - ix. 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;
 - x. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xi. may dissolve a committee or a sub-committee.
- e. The Chair and Deputy Chair ex officio shall be members of every 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 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.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Deputy Chair (if there is one) of the Council.**
- f **The Chair 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.**
- g **The Deputy Chair of the Council, if there is one, unless he 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 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 shall preside at the annual meeting until a new Chair of the Council has been elected. He 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 Deputy 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 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;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - 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 other assets including buildings and office equipment;
 - xiv. Confirmation of arrangements for insurance cover in respect of all insurable 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 policies, procedures and practices in respect of its obligations 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 Council up to and including the next annual meeting of the Council.
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 7 days of having been requested to do so by 3 members of the committee or the sub-committee, any 3 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 4 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 If requested by any member before the vote is taken, a resolution may be put that voting on appointments be by signed ballot.
- b 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 7 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 5 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 ●
- Committee meetings ●
- Sub-committee meetings ●

- 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 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 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(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.

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 they have 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 they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.**
- c Unless they have been granted a dispensation, a councillor or non-councillor with voting rights may choose to withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council’s code of conduct. They may return to the meeting after it has considered the matter in which 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 the Proper Officer 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 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.
- 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 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 will implement any recommendations resulting from the investigation.**

15. **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 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 at least 7 days before the meeting confirming his 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 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. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- x. 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);
- xi. arrange for legal deeds to be executed;
(see also *standing order 23*);
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiii. record every planning application notified to the Council and the Council's response to the local planning authority;
- xiv. refer a planning application received by the Council to the Chair or in his absence Deputy Chair (if there is one) 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 council;
- xv. manage access to information about the Council via the publication scheme; and
- xvi. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also *standing order 23*).

16. **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.

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 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 (or income and expenditure) for each quarter;
 - 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 quarter being reported and 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 (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability 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 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 in standing order 18(f) 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.
- f. **A public contract regulated by the Public Contracts Regulations 2015**

Commented [EP3]: Your old order specify £60,000 which may be better as then most of your contracts would be well under the tender process threshold

with an estimated value in excess of £214,904 for a public service or supply contract or in excess of £5,372,609 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.

- g. A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £429,809 for a supply, services or design contract; or in excess of £5, 372,609 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19. HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of Council or any other committee or sub-committee 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 is not available, the Deputy Chair (if there is one) of Council of absence occasioned by illness or other reason and that person shall report such absence to Council at its next meeting.
- c Members of the Staffing Committee shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Proper Office. The review and appraisal shall be reported in writing and subject to approval by resolution by 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 Council or in his absence, the Deputy 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 Council.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of staff relates to the Chair or Deputy Chair of Council this shall be communicated to another member of the Staffing Committee, which shall be reported back and progressed by resolution of 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).

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 higher) does not exceed £25,000]* **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

OR

[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 2015.**

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 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), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**
- c *The above is applicable to a Council without a common seal.*

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 4 councillors to be given to the Proper Officer in accordance with standing order 9.
- 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.

Invitation to take part in Hackney Carriage Licensing Consultation

Dear Parish/Town Councils (*via the Clerk*)

I am contacting you as you may well as have an interest in the Cheshire West and Chester Statement of Licensing Policy- Hackney (Taxi) and Private Hire policy consultation.

This [consultation](#) seeks the views of the public and hackney carriage/private hire businesses regarding the current Hackney and Private Hire Policy.

This policy covers all aspects of the terms and conditions for licensing hackney carriage and private hire drivers, vehicles and operators. Those taking part will be able to comment on all aspects of the policy.

One of the key objectives of the consultation is the review of the age policy (entry and exit vehicle age restrictions) for licenced vehicles. The current age policy was introduced with the intention of encouraging the uptake Ultra Low Emission Vehicles (primarily electric vehicles) within the hackney carriage and private hire trades.

There are other questions that relate to either changes in legislation or requests/questions raised by licence holders. Again, you are invited to comment on all aspects of the policy (not just the questions asked)

The consultation results will assist the Council to determine if the current policy is still relevant or amendments are necessary. The full current policy can be seen [here](#):

Background

Hackney carriage

There are 273 hackney carriage vehicles in the Borough.

Generally known as Taxis (they have a "Taxi" sign on the roof), these vehicles are available for immediate hire and can hailed in the street or hired from a designated rank. Hackney carriages can also be pre booked in advance in the same way as a private hire vehicle.

They must have a fare meter that displays the fare charged (based on time and distance). The Council sets the maximum rate per distance/time.

In Cheshire West and Chester hackney carriages operate in three zones, Chester (160 vehicles), Ellesmere Port and Neston (48 vehicles) and Vale Royal (62 vehicles).

All hackney carriages are wheelchair accessible (WAVs). These WAVs have been permanently adapted to enable a passenger using a standard wheelchair to enter, exit and travel safely and securely whilst remaining in their wheelchair for the entire journey.

The majority of these vehicles can carry six or more passengers and have other aids to improve accessibility such as additional steps, contrasting colour grab handles and seat flashes and fitted hearing loops. Legislation allows the councils to determine and restrict the type of vehicle to be licensed as a hackney carriage.

Private hire

There are 1312 private hire vehicles and 135 private hire operators in the borough.

These vehicles can only be booked in advance through a licenced private hire operator. They cannot be hailed in the street or booked via the driver.

About 2 % of private hire vehicles are wheelchair accessible (WAVs). The fleet is predominately four-door saloon vehicles with some people carriers and minibuses. Private hire vehicles have no restrictions in the areas they can operate within the Borough. The Council does not have any control of the fares charged by the private hire operator.

Though subject to some general conditions, legislation does not allow councils to determine what type of vehicle can be licensed as a private hire vehicle or if it must be wheelchair accessible.

Drivers of licenced vehicles

There are 1638 Licensed Drivers

Drivers must be able to demonstrate that they are and remain “fit and proper” (safe and suitable). This requires new applicants undertaking and passing a vocational training package including safeguarding training, a driving assessment, medical assessment, and a criminal records check. Existing licensed drivers have to undertake regular criminal records checks.

[Taking Part and sharing your views](#)

The full current policy can be seen [here](#):

Click [here](#) to take part in the survey.

Any questions, requests for additional information, copies of any of the documents or comments on the consultation can be emailed to: ledo@cheshirewestandchester.gov.uk

Or set to the Licensing Team, Cheshire West and Chester, The Portal, Wellington Road, Ellesmere Port, CH65 0BA or call 0300 123 7737

The closing date of the survey is **19 February 2024**.

If you would like to know more about how Cheshire West and Chester Council use and store the information you give us you can find our privacy notice on our website [.Privacy Notice](#)

What Happens Next

The results of the consultation will be reported to the Council's Licensing Committee on the 12 March 2024. The report, details of the meeting (that the public can attend) and any changes made to the policy as a result of the consultation will be available [here](#):

The revised policy will be published on the 1 April 2024 and will be able to be seen [here](#)

Regards,

Peter Willett

Licensing Lead

Public Protection

Cheshire West and Chester Council

Location: Licensing, The Portal, Wellington Road, Ellesmere Port, CH65 0BA