***HALEWOOD TOWN COUNCIL***

****

***STANDING ORDERS***

***2016***

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**HALEWOOD TOWN COUNCIL**

**STANDING ORDERS**

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*Please note that references relating to Committees are on the basis of* ***“where one exists”,*** *otherwise the responsibility relates to the meeting of the full Council, and the Chairman or Vice-Chairman accordingly.*

*Reference to the “Proper Officer” in the Standing Orders refers to the position within Halewood Town Council of the Town Manager.*

*References in the masculine shall, as circumstances dictate, refer in the feminine.*

*Standing Orders in* ***bold type*** *incorporate statutory requirements and must not be ignored or substantively amended unless the legislation upon which they are based, changes.*

*These Standing Orders were adopted by Halewood Town Council*

*at the Annual Meeting held on 12th May 2016*

**1**. **Meetings (Including Public Participation and the Press)**

General

a). Meetings of the Council shall be held at the Council Offices at 7.00 pm unless the Council otherwise decides at a previous meeting.

b). i). Smoking is not permitted at any meeting of the Town Council.

ii). All Council and Committee Meetings shall terminate not later than 9:45 p.m. and any business not disposed of by the closure time shall stand adjourned to the next ordinary or adjourned meeting.

iii). Any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Council.

**c).** **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.**

**d).** **When calculating the 3 three clear notice of a meeting to councillors and the public, 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 shall not count.**

Public Involvement

**e). 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, namely:-* “That in the view of the special/confidential nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded, and they are instructed to withdraw”.**

f).Subject to Standing Order 1(e) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda, or on a matter concerning the Township.

g). The Public Forum will commence at the beginning of the meeting for a maximum period of thirty minutes, for a maximum of three separate addresses, not exceeding ten minutes each. The opening and closing of this period of time shall be explicitly identified and no resolutions or other business shall be conducted during this period.

h). If no formal lodging of topics for the public open forum are made to the Town Manager, then the Chairman of that meeting will welcome any members of the public present during “Public Open Forum”, and ask if anyone would like to address the meeting on a topic appertaining to the Township for a period not exceeding ten minutes. (Maximum of three addresses per meeting).

i).Those who are invited to speak in this way will only address the person who is presiding at the meeting, and will respect the Chairmanship of that person.

j). In accordance with Standing Order 1(f) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate, notwithstanding that, at the Chairman’s discretion, members may be invited to ask questions of the member of the public who is addressing the meeting.

k). In accordance with Standing Order 1 (j) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.

l). A record of a public participation session at a meeting shall be included in the minutes of that meeting.

m). A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking.

n). Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of the speaking.

Press & Media

**o). In England, under the Openness of Local Government Bodies Regulations 2014 amended the Public Bodies (Admission to Meetings) Act 1960 in terms of any person (including the press) attending council meeting as reporting on the proceedings of the meeting. Reporting is defined to include filming, photographing or making an audio recording, written reporting or commentary during or after the meeting.**

**p). In accordance with Standing Order 1(e) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

See also the Town Council Policy ‘Filming, Recording and Social Media Reporting of (Public) Town Council Meetings approved by the Town Council on 20th November 2014.

Procedural

**q). Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.**

**r). 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 Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**

**s). Subject to standing order 1 (z) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**

**t). The Chairman may have 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.**

**u). Unless standing orders provide otherwise, voting on any 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.

**v). The minutes of a meeting shall record the names of councillors present** and absent. Every member of the Council attending a meeting of the Council, or any of its Committees or Sub-Committees of which he is a member, shall sign his name in the attendance book or sheet provided for that purpose.

w). If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.

Code of Conduct & Declarations of Interest

**x).The Code of Conduct adopted by the Council shall apply to councillors in respect of the entire meeting. An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.**

Quorum

y**). 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.**

**z). If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transactedat a following meeting.

**2**. **The Annual Meeting of the Council**

**a) In an election year, the annual meeting of the Council shall be held on a Thursday 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 the Council shall be held on any Thursday in May, as the Council may determine.**

c).  **If no other time is fixed, the annual meeting of the Council shall take place at 7 p.m.**

d). **At least three other meeting dates shall be agreed at the Annual Meeting. (The Council must meet at least four times a year).**

e). Additional meetings shall be held on such dates as the Council may from time to time determine.

f). **The election of a Chairman** and Vice-Chairman **of the Council shall be the first business completed at the annual meeting of the Council.**

**g). The Chairman of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her successor is elected at the next annual meeting of the Council.**

**h). The Vice-Chairman of the Council, if any, unless he/she 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/she 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/she shall preside at the meeting until a new Chairman of the Council has been elected. He/she 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 order of business shall be as follows, (should it be deemed that these items require attention) :-

* In an election year, delivery by councillors of their declarations of acceptance of office.
* Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by Committees (if any).
* Review of delegation arrangements to Committees, Sub-Committees, employees and other local authorities (if any).
* Review of the terms of references for Committees (if any).
* Receipt of nominations to existing Committees (if any).
* Appointment of any new Committees, confirmation of the terms of reference, the numbers of members (including, if appropriate substitute councillors) and receipt of nominations to them (if any).
* Review of adoption of appropriate standing orders and financial regulations, (including the appointment of signatories for the Town Council’s Bank Accounts).
* Setting the dates, times and place or ordinary meetings of the full Council for the year ahead.
* Review of representation on or work with external bodies and arrangements for reporting back.
* In a year of elections, if a Council’s period of eligibility to exercise the power of well-being expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.

In addition the following may also be considered for the agenda if deemed necessary:-

* Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
* Review of inventory of land and assets including buildings and office equipment.
* Review and confirmation of arrangements for insurance cover in respect of all insured risks.
* Review of the Council’s and/or employees memberships of other bodies.
* Establishing or reviewing the Council’s complaints procedure.
* Establishing or reviewing the Council’s procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
* Establishing or reviewing the Council’s policy for dealing with the press/media.

**3. Proper Officer**

General

a). The Council’s Proper Officer shall be The Town Manager or such other employee as may be nominated by the Council from time to time or such other employee appointed by the Council to undertake the role of Proper Officer during the Proper Officer’s absence. The Proper Officer and the employee appointed to act as such during the Proper Officers absence shall fulfil the duties assigned to the Proper Officer in Standing Orders. (The term Proper Officer shall hereinafter be assumed to be the Town Manager).

b). The Council’s Town Manager shall do the following.

1. **Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and agenda of a meeting of the Council or meetings of committees or sub-committees (if any) at least three clear days before a meeting.**
2. **Give public notice of the time, date, venue and agenda at least three clear days** (as defined) **before a meeting of the Council or of a committee** or sub committee (if any). **A public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them.**
3. Subject to standing orders 4 (a) – (e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 5 working days before the meeting confirming his withdrawal of it.

(iv). **Convene a meeting of the full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his/her office, in accordance with standing order 3b(i)** or 3b(ii) **above**

(v).Make available for inspection the minutes of meetings.

(vi). **Receive and retain copies of byelaws made by other local authorities.**

**(vii). Receive and retain declarations of acceptance of office from councillors.**

(viii). Retain a copy of every councillor’s register of interests and any changes to it and keep copies of the same for inspection.

(ix). Keep proper records required before and after the meetings.

(x). Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council’s procedures relating to the same.

(xi). Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.

(xii). Manage the organisation, storage and access to information held by the Council in paper and electronic form.

(xiii). Arrange for legal deeds to be sealed using the Council’s common seal.

(xiv). Arrange for the prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council’s financial regulations.

(xv). Record every planning application notified to the Council and any Council response to the planning authority.

1. Refer a planning application received by the Council to the Chairman or Vice-Chairman 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 Council.

(xvii). Retain the custody of the seal of the Council which shall not be used without a resolution to that effect.

(xviii). Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

(xiv). That the Town Manager is designated to be the “appropriate person” to receive applications for dispensations from elected members regarding disclosable pecuniary interests under S.33 of the Localism Act 2011. **Renewable after next proper elections in May 2019.**

c). Any power or duty imposed whether by Common Law or by or under statute, statutory instrument, or any other rule or regulation or by these standing orders, upon any officer may be exercised by his duly appointed deputy or by any other officers specifically authorised by the Council for that purpose.

Delegated/Emergency Decisions

d).Where urgent action is required between regular meetings of the Council and it is not convenient to call a special meeting; decisions may lawfully be taken by the Town Manager in consultation with the Chairman of the Town Council such decisions being reported to the next meeting of the Council.

Where the decision is of a controversial nature and such that the Town Manager and Chairman of the Council are wary of making that decision, a meeting comprising of 1/3rd or 3, (whichever is the greater), of the members of the relevant committee or full Council should meet as a Special Sub-Committee (i.e. a Committee of the Committee) and should be convened at short notice (less than 3 clear days being un-lawful).

**4. Motions Requiring Written Notice**

1. In accordance with standing order 3(b) (iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council’s Proper Officer at least 8 clear days before the meeting.
2. The Town Manager may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
3. If the Town Manager considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Town Manager in clear and certain language at least 5 working days before the meeting.
4. If the wording or nature of a proposed motion is considered unlawful or improper, the Town Manager 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 or rejected in the agenda.
5. Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Town Manager as to whether or not to include the motion in the agenda shall be final.
6. Notice of every motion received in accordance with the Council’s standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
7. Every motion rejected in accordance with the Council’s standing orders shall be duly recorded with a note by the Town Manager giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
8. Every motion and resolution shall relate to the Council’s statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council’s area or its residents.

(i) The Town Manager shall set out in the summons for every meeting of the Council all motions of which notice has been duly given in the order in which they have been received, unless the member giving such notice intimated in writing when giving it, that he proposed to move it at some later meeting, or has withdrawn it in writing.

(j) If a motion set out in the summons be not moved either by a member who gave notice thereof or by some other member on his behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

1. If the subject matter of any motion of which notice has been duly given comes within the province of any committee or committees it shall, upon being moved and seconded stand referred without discussion to such committee or committees as the Council may determine, for consideration and report. (Where these Committees may be created in the future).
2. Provided that the Chairman may, if he considers it convenient and conductive to despatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.
3. A member of the Council who has moved a motion, which has been referred to any Committee or Sub-Committee of which he is not a member shall be given notice of the meeting of the Committee or Sub-Committee at which it is proposed to consider the motion. He shall have the right to attend the meeting and if he attends shall have an opportunity of explaining the motion, but not of voting. (Where these Committees may be created in the future).
4. **Motions Not Requiring Written Notice**
5. Motions in respect of the following matters may be moved without written notice.
6. To appoint a person to preside at a meeting.
7. To approve the absences of councillors.
8. To approve the accuracy of the minutes of the previous meeting.
9. To correct an inaccuracy in the minutes of the previous meeting.
10. To dispose of business, if any, remaining from the last meeting.
11. To alter the order of business on the agenda for reasons of urgency or expedience.
12. To proceed to the next business on the agenda.
13. To close or adjourn debate.
14. To refer by formal delegation a matter to a committee or to a sub-committee/working group or an employee.
15. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
16. To receive nominations to a committee or sub-committee.
17. To dissolve a committee or sub-committee.
18. To note the minutes of a meeting of a committee or sub-committee.
19. To consider a report and/or recommendations made by a committee or a sub- committee/working group or an employee.
20. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
21. To authorise legal deeds [to be sealed by the Council’s common seal and witnessed.

*(See standing orders 14(a) and (b) below.)*

1. To authorise the payment of monies as per Financial Regulations
2. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
3. To extend the time limit for speeches.
4. To exclude the press and public for all or part of a meeting.
5. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
6. To give the consent of the Council if such consent is required by standing orders.
7. **To suspend any standing order except those which are mandatory by law.**
8. To adjourn the meeting.
9. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
10. To answer questions from councillors.
11. If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience. (Where these Committees may be created in the future).

**6. Rules of Debate**

1. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman’s direction for reasons of expedience.
2. Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
3. Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
4. A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
5. A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
6. Any amendment to a motion shall be either:
7. to leave out words;
8. to add words;
9. to leave out words and add other words.
10. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
11. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
12. Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
13. Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
14. If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
15. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
16. The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.
17. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
18. Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
19. 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 irregularity in the meeting he is concerned by.
20. A point of order shall be decided by the Chairman and his decision shall be final.
21. With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
22. Subject to standing order 6(o) above, when a councillor’s motion is under debate no other motion shall be moved except:
23. to amend the motion;
24. to proceed to the next business;
25. to adjourn the debate;
26. to put the motion to a vote;
27. to ask a person to be silent or for him to leave the meeting;
28. to refer a motion to a committee or sub-committee for consideration;
29. to exclude the public and press;
30. to adjourn the meeting;
31. to suspend any standing order, except mandatory ones.
32. In respect of standing order 6(s)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover’s right of reply at the resumption.

**7. Code of Conduct (England)**

In accordance with Section 27 and 28 of the Localism Act 2011 the Town Council has adopted and introduced a new ethical framework for local government designed to ensure high standards of conduct in public life. Failure of any Member to sign the declaration within two months of election to the Town Council would result in the member ceasing to be a member of the Council. A copy of the latestmodel code is attached as an appendix in this document.

1. **All councillors shall observe the code of conduct adopted by the Council.**
2. All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
3. Councillors should particularly note, and adhere to, the requirements of the Code of Conduct appertaining to disclosable pecuniary interests, their participation and voting on such a matter, and the vacating of the room or chamber whilst the issue is discussed.
4. Councillors should note that under Section 33 of the Localism Act 2011 that dispensation for Halewood resident elected members to discuss and approve the annual precept was agreed at full Council on 20 December 2012 (Minute 94 (b) refers) for a period not exceeding four years, and that is set until after the next proper elections in May 2020.

**8. Questions**

1. A councillor may seek an answer to a question concerning any business of the Council provided 3 clear days notice of the question has been given to the Proper Officer.
2. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
3. Every question shall be put and answered without discussion.
4. An answer may take the form of: -

i) a direct oral answer; or

ii) where the desired information is contained in a publication of the Council, a reference to whom that publication of; or

iii) where the reply to the question cannot conveniently be given orally, a written answer circulated to members of the Council.

**9. Minutes**

1. If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
2. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
3. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
4. 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:

*“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 majority of the ( ) and the minutes are confirmed as an accurate record of the proceedings.”*

1. Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

f In the event of any agreed amendments to the previous council meeting minutes, (or committees), that an annotation is included in the electronic version of the original minutes, which appears on the Town Council’s website. Hand written narrative identifying any subsequent amendment should also be made to the Town Council’s hard copy in the minute book.

**10. Disorderly Conduct (Including Suspension of Sitting)**

1. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
2. If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
3. If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn or suspend the sitting of the Council or Committee for such period as he/she shall consider expedient, and thereupon the meeting shall be adjourned or suspended accordingly.

d In event of disorderly conduct or other misbehaviour on the part of the public who may be admitted to meetings, the Chairman shall be empowered (as the official representative of the Council or Committee and on their behalf) to exercise the statutory powers of exclusion, suppression or prevention of such disorderly conduct or misbehaviour. The ruling of the Chairman consequently upon any such disorderly conduct, or upon any motion arising there from, and any requirements or instruction of the Chairman made or given in order to ensure the properties of debate or the due and proper conduct, of the Council's or Committee's business, shall be accepted without discussion by all members of the Council or in the event of a Committee.

**11. Rescission of Previous Resolutions**

1. A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least two-thirds councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
2. When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

c The ruling of the Chairman as to whether any motion or amendment comes within the terms of this standing order shall be final and accepted without question .

**12. Voting on Appointments**

1. Where more than 2 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. Any tie may be settled by the Chairman’s casting vote.

**13. Expenditure**

1. Any expenditure incurred by the Council shall be in accordance with the Council’s financial regulations.
2. **The Council’s financial regulations shall be reviewed once a year.**
3. **The Council’s financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council’s functions to be delegated to a committee, sub-committee or to an employee.**

**14. Execution and Sealing of Legal Deeds**

*See also standing order 5(a)(xvi) above*

1. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
2. **In accordance with a resolution made under standing order 14(a) above, the Council’s common seal shall alone be used for sealing a deed required by law. It shall be applied by the Town Manager in the presence of two members of the Council who shall sign the deed as witnesses.**

**15. Committees**

*See also standing order 1 above*

1. The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
2. shall determine their terms of reference;
3. may permit committees to determine the dates of their meetings;
4. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
5. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 7 days before the meeting that they are unable to attend;
6. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
7. may in accordance with standing orders, dissolve a committee at any time.

b Every first meeting of a new Standing Committee or Sub-Committee shall be at the earliest opportunity, and before the next full meeting of the Town Council, where the first business will be to elect a Chairman and Vice-Chairman. In the absence from the meeting of a Chairman (and Vice-Chairman If elected), a Chairman for the meeting may be appointed.

**16. Sub-Committees**

*See also standing order 1 above*

1. Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.
2. Every Committee appointed by the Council may appoint Sub-Committees for purposes to be specified by the Committee.
3. The Town Manager may, and at the request of the Chairman of the Sub-Committee concerned, summon meetings of the Sub-Committee at any time.

**17. Extraordinary Meetings** *See also standing order 1 above*

1. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
2. **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
3. The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
4. If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 4 days of having been requested by to do so by 4 councillors, those 4 councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 4 councillors.

e In the month of April each year, and not less than one week prior to each Annual Meeting of the Council a Special Committee consisting of the whole members of the Council and of which Committee not less than one third of the number of the whole Council shall be a quorum shall meet to prepare a report to the Council as to the formation and duties of any Committee, or the full Council for the next municipal year.

f Except where otherwise provided by statute or a scheme, made under statutory authority, the Chairman of the Council shall be an ex-officio member of every Standing Committee appointed by the Council.

g The Town Manager shall summons a special meeting of a Committee at any time at the request of either (a) the Chairman of the Committee, or (b) the Chairman, or (c) any members of the Committee, or (d) the Town Manager in the event of any emergency or special circumstances arising.

The summons to the special meeting shall set out the business to be considered thereat and no business other than indicated or any consequential matters arising thereat shall be considered at that meeting.

**18. Advisory Committees / Working Groups** *See also Standing Order 1 above*

1. The Council may appoint advisory committees/working groups comprised of a number of councillors and non-councillors.
2. Advisory committees/working groups and any sub-committees may consist wholly of persons who are non-councillors.

**19. Accounts and Financial Statement**

1. All payments by the Council shall be authorised, approved and paid in accordance with the Council’s Financial Regulations. In addition, all monies due to the Council shall be paid Into the bank In accordance with the Council's Financial Regulations. The Financial Regulations shall be renewed annually.

The Town Manager (Responsible Financial Officer) shall supply to each councillor as soon as practicable after 30 September and 31 December in each year a report summarising the Council’s latest financial position and the balances held at the end of that period. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

**20. Estimates/Precepts**

1. The Council shall approve written estimates for the coming financial year at its meeting before the end of January.
2. Any committee desiring to incur expenditure shall give the Town Manager a written estimate of the expenditure recommended for the coming year no later than December.
   1. **Canvassing and Recommendations by Councillors and Vacancies**
3. Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Town Manager shall disclose the requirements of this standing order to every candidate.
4. A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate’s ability, experience or character for submission to the Council with an application for appointment.
5. This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.
6. A candidate for any appointment under the Council who knows that he is related to any member or officer of the Council shall be required to disclose that relationship to the Town Manager. A candidate who fails to disclose such a relationship shall be disqualified for the appointment and if appointed shall be liable to dismissal without notice. Every member and officer of the Council shall disclose to the Town Manager any relationship known to him to exist between himself and any person whom he knows is a candidate for an appointment under the Council. The Town Manager shall report to the Council or to the appropriate Committee or Sub-Committee any such disclosure made to him.

e The purpose of this standing order shall be included in every advertisement inviting applications for appointments or in any form of application.

f For the purpose of this standing order 'officer' means any member of Council staff so designated by the Council and persons shall be deemed to be related if they are husband and wife, civil or co-habiting partner or if either of them or the spouse of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the other, or of the spouse of the other.

g The Council shall determine the establishment of Town Council. No new office shall be created, nor any person be employed in addition to the Town Council's establishment, except with the agreement of the Council..

h All vacancies to be filled within the staffing establishment of the Town Council unless they are to be filled by promotion or transfer, shall be publicly advertised as determined by the Town Council.

i Provided that where, within six months of the filling of a vacancy which has been publicly advertised, a similar vacancy occurs in an office in the appointment of the Council, or officer as the case may be responsible for making the appointment may appoint one of the former applicants.

**22. Inspection of Documents**

1. Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

**23. Unauthorised Activities**

1. Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
2. inspect any land and/or premises which the Council has a right or duty to inspect; or
3. issue orders, instructions or directions.

**24. Confidential Business**

1. Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
2. A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

c A member of a Committee, shall not disclose a matter dealt with by or brought before the Committee that is deemed to be of a confidential nature without its permission until the Committee shall have reported to the Council or the matter shall have been communicated to the press or with the authority of the Council or Committee.

**25. Power of Competence**

1. Before exercising the power to promote competence, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
2. **The Council’s period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that**

**takes place in a year of ordinary elections.**

1. **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote competence which was not completed before the expiry of the Council’s preceding period of eligibility referred to in standing order 25(b).**

**26. Matters Affecting Council Employees (Including Complaints Procedure)**

Absence

a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.

b Subject to the Council’s policy regarding absences from work, the Council’s most senior employee shall notify the Chairman of the Council or, in his absence, the Vice-Chairman of the Council of any absence occasioned by illness or urgency and that person shall report such absence to the next meeting.

Performance Review

c The Chairman of the Council or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of Town Manager and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Council.

Grievance & Disciplinary

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 Council or in his absence, the Vice-Chairman of in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.

i). Any complaint with reference to any Council Official or Employee, to the Town Manager and be reported by that Officer to the appropriate Committee of the Council provided that the complaint be made in writing and signed by the person making it.

ii). Any complaint with reference to the Town Manager to the Chairman and be subject to the appropriate Committee of the Council provided that the complaint be made in writing and signed by the person making it.

iii). Officers and employees of the Council are prohibited from making personal appeals, written or oral, direct or indirect to members of the Council or co-opted members of a committee, and any such personal appeal will be held to be a breach of discipline. An officer or employee desirous of bringing to the notice of the Council a matter concerning himself or his position must do so through the Town Manager.

e Subject to the Council’s policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by Town Manager relates to the Chairman or Vice-Chairman of the Council this shall be communicated to another member of the Council which shall be reported back and progressed by resolution of Council.

f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.

g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.

h Records documenting reasons for an employee’s absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified.

j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to Town Manager and/or the Chairman of the Council.

Complaints Procedure

k. If a complaint about procedures or administration is notified orally to a councillor or the Town Manager and it is not possible to satisfy the complaint fully forthwith the complainant shall be asked to put his complaint in writing to the Manager and be assured that it will be dealt with promptly after receipt.

l. If a complainant indicates that he would prefer not to put the complaint to the Town Manager he shall be advised to put it to the Chairman.

m. On receipt of a written complaint the Town Manager or Chairman, as the case may be, shall (except where the complaint is about his own actions) try to settle the complaint directly with the complainant but shall not do so in respect of a complaint about the behaviour of the Town Manager or a councillor without first notifying the person complained of and giving him an opportunity to comment on the manner in which it is intended to attempt to settle the complaint. Where the Town Manager or Chairman receives a written complaint about his own actions he shall forthwith refer the complaint to the Council.

n. The Town Manager or Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.

o. The Town Manager or Chairman shall bring any written complaint which cannot be settled to the next meeting of the Council and the Town Manager shall notify the complainant of the date on which the complaint will be considered.

p. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.

q. As soon as may be after the decision has been made it and the nature of any action to be taken shall be communicated in writing to the complainant.

r. If any question arises at a meeting of the Council (or of a committee thereof) to which the Part 1 of Schedule 12A Local Government Act 1972 as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any person employed by the Council, such question shall not be the subject of discussion until the Council or Committee as the case may be, has decided whether or not the power of exclusion of the Local Government Act 1972 shall be exercised.

Officers Interest in Contracts

s. The Town Manager shall record in a book to be kept for the purpose, particulars of any notice given by an officer of the Council under section 117 of the Local Government Act 1972 of a pecuniary interest in a contract, and the book shall be open during office hours for the inspection of any member of the Council.

**27. Freedom of Information Act 2000**

1. All requests for information held by the Council shall be processed in accordance with the Council’s policy in respect of handling requests under the Freedom of Information Act 2000.
2. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Town Manager to the Chairman of the Council. The full meeting of the Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Town Manager in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

**28. Relations with Press/Media**

1. All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council’s policy in respect of dealing with the press and/or other media.
2. In accordance with the Council’s policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

See also Standing Order 1 (o)

**29. Liaison with Unitary Councillors**

1. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the Unitary Council representing its electoral ward. (This only applies when the Town Councillor for a Ward is not the Unitary Councillor for the same Ward).
2. Unless the Council otherwise orders, a copy of each letter sent to the Unitary Council shall be sent to the Unitary Council councillor representing its electoral ward.

**30. Financial Matters**

1. 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:
2. the accounting records and systems of internal control;
3. the assessment and management of financial risks faced by the Council;
4. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
5. the inspection and copying by councillors and local electors of the Council’s accounts and/or orders of payments;
6. procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £10,000.
7. the reviewing of fees and charges
8. the safe keeping of monies due to the Council.
9. the banking arrangements.
10. **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess** **of** £10,000 **shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.**
11. Any formal tender process shall comprise the following steps:
12. a specification of the goods, materials, services and the execution of works shall be drawn up;
13. tenders are to be sent, in a sealed marked envelope, to the Town Manager by a stated date and time;
14. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
15. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
16. Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
17. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time the Council must consider whether the Public Contracts Regulations 2015 apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

**31. Allegations of Breaches of Code of Conduct**

1. On receipt of a notification that there has been an alleged breach of the code of conduct the Town Manager shall refer it to the full meeting of the Town Council.
2. Where the notification relates to a complaint made by the Town Manager, the Town Manager shall notify the Chairman of the Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Town Manager set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
3. Where a notification relates to a complaint made by an employee (not being the Town Manager) the Town Manager shall ensure that the employee in question does not deal with any aspect of the complaint.
4. The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Town Manager and the Chairman of the Council shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
5. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
6. Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.
7. Ensure that the public and press are excluded from meetings as appropriate.
8. Ensure that the minutes of meetings preserve confidentiality.
9. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
10. Standing order 31(d) above should not be taken to prohibit the Council (whether through the Town Manager or the Chairman of the Council or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
11. The Council shall have the power to:
12. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
13. seek and share information relevant to the complaint;
14. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.
15. References in standing order 31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

**32. Variation, Revocation and Suspension of Standing Orders**

1. Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
2. A motion to permanently add to or to vary or to revoke one or more of the Council’s standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.
   * 1. **Standing Orders to be Given to Councillors**
3. The Town Manager shall provide a copy of the Council’s standing orders to a councillor upon delivery of his declaration of acceptance of office.
4. The Chairman’s decision as to the application of standing orders at meetings shall be final.
5. A councillor’s failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

d The Standing Order of the Council (No 6) "Rules of Debate" (except those parts which relate to standing and speaking more than once) with any necessary modification, apply to Committee and Sub-Committee Meetings.

* + 1. **POWERS OF MEETINGS OF THE FULL TOWN COUNCIL**
* The control, management, maintenance and promotion of all Community Centres, owned or held by the Council.
* The control, management, maintenance and promotion of all land held for Community Recreation and Leisure including parks, recreation grounds, open spaces, playgrounds, sports centres and stadia.
* Powers and duties conferred upon the Council as Trustees in respect of any recreation ground so far as the conferring instrument relate to the management and control thereof.
* The promotion of indoor and outdoor sporting recreation and leisure activities and joint participation with other bodies concerned therewith.
* To maintain an overview of youth and community issues and to liaise with other agencies to promote youth and community development.
* All matters relating to footpaths and bridleways within the control or management of the Town Council, including the protection, creation, diversion or extinguishment thereof.
* Co-ordination of all requirements in relation to the street furniture in the ownership of the Town Council.
* In joint participation with other bodies concerned therewith, deal with all matters relating to the appearance of facilities of the Halewood area in particular, roads, lighting, public services and neglected areas.
* The control, management, maintenance and promotion of artistic events hosted by the Council.
* To market and promote events and pursue every avenue to ensure maximum participation by the community in the work of the Town Council
* To pursue an integrated policy, to provide an extensive programme to all irrespective of age, race, religion or sex.
* To support arts projects on the widest possible spectrum and stimulate artistic activity in every sphere.
* To actively encourage interests in artistic development both for individuals and groups of the community including schools and voluntary organisations.
* To encourage and promote sustainable living and address climate change issues in order to reduce energy costs, to reduce congestion, to adapt to the impacts of climate change, to improve the local environment and to deal with fuel poverty in our local communities.
* Authority to deal with planning applications submitted to the Council by the Borough Council for formal consultation, by opposing, approving or making such representation as shall be appropriate in the circumstances, subject to the decision taken by the **full** Council for information at the next following meeting.
* To undertake a continuing review of the Council's broad policy and priorities over the range of its functions and, for the purpose, to make recommendations to the Council on implementation.
* The allocation, management and control of the Council’s, financial, personnel, assets and land resources.
* The staying of action on any matter which may contravene the policies of the Council.
* The constitution, composition and functions of Committees of the Council.
* The structure of the Council's administrative organisation.
* Appointment or nomination of representatives of the Council to serve on other bodies.
* Attendance of Members at Conferences, workshops and training events.
* All matters relating to insurances.
* Collection of debts and monies owing to the Council (including power to write off bad debts)
* Administration of national agreements adopted by the Council as to conditions of service of all employees and determination of conditions of services not within the purview of such agreements.
* All questions relating to the recruitment, qualifications, selection, training and welfare of employees including the administration and application of approved policies in relation to employees.
* Promotion (but not dismissal) of officers on the permanent establishment, to fill existing vacancies on the establishment, except in the case of appointment of Chief Officer or where otherwise specially provided for.
* All questions in regard to the alteration in status, salaries or wages of employees of the Council.
* Carrying into effect the function of the Council under the provisions of Local Government Superannuation Acts 1937 to 1972 and amendments thereof, the Lancashire County Council (General Powers) Act 1971 Section 13, and any and all other Acts or Acts, Orders or Regulation for the time being in force in regard to Local Government Superannuation.
* Administration of any scheme for the payment of retirement allowance to employees who are not contributors under the Local Government Superannuation Acts.
* Administration of any scheme or schemes for payment of allowances to employees absent from duty owing to sickness.
* Determination and periodic review of staff establishments.
* All matters relating to Contracts of Employment, Industrial Relations and joint consultation.
* Establishing machinery for hearing of any appeals which may arise under the provision of the national agreements adopted by the Council as to Conditions of Service of all employees.