

Tregony with Cuby Parish Council

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Tregony with Cuby Parish Council

Tuesday 18 May 2021

Tregony Village Hall at 7 p.m.

AGENDA

To members of Tregony with Cuby Parish Council

You are hereby summoned to attend the first annual meeting of Tregony with Cuby Parish Council

On: Tuesday 18 May 2021

Commencing: at 7 p.m.

At: Tregony Village Hall for the purpose of transacting the following business.



Mary Symons, Clerk to the Council

For and on behalf of Melanie O'Sullivan, Cornwall Council monitoring officer, in accordance with Article 9 of the The Cornwall (Reorganisation of Community Governance) No. 1 Order 2020

1. Election of chairman
2. To receive the chairman's declaration of acceptance of office
3. Election of vice chairman
4. To receive the vice chairman's declaration of acceptance of office
5. Apologies for absence
6. Confirmation that parish councillors' declaration of acceptance of office have been received or, if any councillor is not present, to resolve that their declaration be made before the next ordinary meeting of the council
7. **Declarations of interest: to confirm receipt of declaration of interest forms for members, or to resolve that such declarations be made before the next ordinary meeting; and to declare interests on items on this agenda**
8. Public participation (up to 15 minutes)
9. Standing orders for Tregony with Cuby Parish Council: to resolve to adopt the draft standing orders, or amended as necessary (appendix 1)
10. Financial regulations for Tregony with Cuby Parish Council: to resolve to adopt the draft financial regulations, or amended as necessary (appendix 2)
11. Budget for Tregony with Cuby Parish Council: to resolve to adopt the draft budget for the council for 2021/22, or amended as necessary (appendix 3)

12. **Code of conduct for Tregony with Cuby Parish Council:** to resolve to adopt the draft code of conduct for members of the parish council, or amended as necessary (appendix 4)
13. **Cornwall Councillor report:** to receive a report, written or oral, from the Cornwall Councillor for the area, if available
14. **Parish council bank signatories:** to resolve to appoint a number of members as authorised bank signatories for cheques and for internet banking
15. **Committees of the council:** to resolve whether to appoint committees of the council for planning and the cemetery and to appoint members to those committees (appendix 5)
16. **Working groups of the council:** to resolve whether to establish one or more working groups to carry out functions and to set parameters within which those working groups will operate (appendix 5)
17. **Appointment of members to outside bodies** (appendix 6)
18. **Parish council website:** to consider any matters related to the website and maintenance of it
19. **Financial report:** to receive a report on the finances of the council for the year to date
20. **Confirmation of arrangements for insurance cover in respect of all insured risks** (appendix 7)
21. **Training for members:** to resolve that members should attend certain training events relevant to their duties as parish councillors including planning training and code of conduct training
22. **Planning applications:** to consider planning applications currently within the Cornwall Council planning system in Tregony with Cuby Parish and to resolve whether to support, object to, make comment on such applications, in particular:
 - I. PA21/03829- 12A Fore Street, resubmission of previously withdrawn application PA20/11374 for conversion and extension of redundant studio to form a single bedroom cottage
 - II. PA21/03421- Roseland School, installation of new fire escape door, new steps and footpath
 - III. PA21/04788 – Works to trees in a conservation area – Crown lift and thin cherry tree by no more than 20% including removing deadwood. Remove the deadwood from large beech tree and reduce crown on neighbour’s side to retain a balanced canopy – Garden of 1 Little Court, Fore Street, Tregony TR2 5RW
 - IV. PA21/04311 - Works to a tree within a conservation area to reduce canopy of medium sized ash tree by 50%. Remove lateral branches on neighbours side of tree .- 26 Lords Meadow Tregony TR2 5RZ
 - V. PA20/04221 - Outline application with all matters reserved for construction of new dwelling - Land North Of Turnpike Daddiport Tregony Truro Cornwall TR2 5TD
 - VI. Any other application received after the despatch of agenda (see website)

Note: further details on the above applications can be accessed via the parish council website

23. **Correspondence received by the parish council and which is relevant to the interests of the council:** to be noted by members and to consider if any action is necessary as a result of such correspondence
24. **Annual parish meeting:** to resolve to call a meeting of the whole parish and to invite local groups to participate (appendix 8)
25. **Future meetings of the council and committees:** to determine dates and places for full council meetings for the year 2021/22 and dates and places for committees of the council
26. **Items for future agendas of the council**

**Note: this agenda and appendices are available to view on the website:
www.tregonywithcubyparishcouncil.gov.uk**

Addendum: Planning applications to consider under item 22
 PA21/04205 Pittsdown Cottage, conversion of redundant barn to holiday accommodation
 PA21/04001 Land west of Turnpike, new bungalow

TREGONY WITH CUBY PARISH COUNCIL
STANDING ORDERS
April 2021

1. ORDINARY MEETINGS OF THE COUNCIL

- 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 newly elected councillors take office.
- b) In a year that is not an election year, the annual meeting of the council shall be held on such day in May as the council may direct.
- c) If no other time is fixed, the annual meeting of the council shall take place at 7 p.m.
- d) In addition to the annual meeting of the council, at least six other ordinary meetings shall be held in each year on such dates and times as the council directs.
- e) The first business conducted at the annual meeting of the council shall be the election of the chairman and vice-chairman of the council.
- f) The chairman of the council, unless they have resigned or become disqualified, shall continue in office and preside at the next annual meeting until their successor is elected.
- g) The vice-chairman of the council, unless they have resigned or become disqualified, shall continue in office until immediately after the election of the chairman of the council at the next annual meeting of the council.
- h) In an election year, if the current chairman of the council has not been re-elected as a member of the council, they 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 but must give a casting vote in the case of equality of votes.
- i) In an election year, if the current chairman of the council has been re-elected as a member of the council, they shall preside at the meeting until a new chairman has been elected. They may exercise an original vote in respect of the election of the new chairman and must give a casting vote in the case of an equality of votes.
- j) Following the election of the chairman and vice-chairman of the council at the annual meeting, the business of the council shall include:
 - i) In an election year, delivery by the chairman, vice-chairman and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year that is not an election year, delivery by the chairman and vice-chairman of their acceptance of office form, unless the council resolves for this to be done at a later date.
 - ii) Confirmation of the accuracy of the minutes of the last meeting of the council.
 - iii) Receipt of the minutes of the last meetings of any committees.
 - iv) Consideration of the recommendations made by a committee.
 - v) Review of delegation arrangements to committees and staff; review of the terms of reference for committees; appointment of members to committees; appointment of any new committees; unless the council resolves for these to be done at a later date.
 - vi) In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence.
 - vii) Confirmation of arrangements for insurance cover in respect of all insured risks.
 - viii) Determine the date and place of council meetings for the following year.

2. EXTRAORDINARY MEETINGS OF THE COUNCIL

- a) The chairman of the council may convene an extraordinary meeting of the council at any time.
- b) If the chairman of the council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two

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

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

3. COMMITTEES AND SUB-COMMITTEES

- a) The council may appoint standing committees or other committees as may be necessary.
- b) The council shall determine the term of reference of the committees.
- c) The council shall appoint and determine the terms of office of members of the committees and substitutes if appropriate.
- d) The council shall appoint and determine the number and times of meetings of the committee or shall permit the committee to determine these itself.
- e) The council may appoint the chairman of the committee or may permit the committee to elect its own chairman at the first meeting of the committee.
- f) The council shall determine the place, notice requirements and quorum for a meeting of a committee.
- g) The council shall determine if the public may participate at a meeting of the committee.
- h) The council may dissolve a committee.

4. CONDUCT OF MEETINGS

- a) Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol.
- b) Three clear days' notice of a meeting shall be given. The three days do not include the day on which the notice is issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break, or a bank holiday or a day appointed for public thanksgiving or mourning.
- c) Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of the meeting shall be by a resolution which shall give reasons for the public's exclusion.
- d) Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend.
- e) The period of time designated for public participation at a meeting shall not exceed 15 minutes unless otherwise directed by the chairman of the meeting.
- f) Unless otherwise directed by the chairman of the meeting, each representation by a member of the public shall not exceed three minutes.
- g) A question by a member of the public shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- h) At the chairman's discretion and with the agreement of the council, a member of the public may be invited to answer any questions on matters of fact relating to an item under consideration by the council at that point in the agenda where the matter is being discussed.

- i) The chairman, if present, shall preside at a meeting. If the chairman is absent from the meeting, the vice-chairman, if present, shall preside. If both are absent from the meeting, a councillor chosen by the councillors present shall preside at the meeting.
- j) All matters at a meeting shall be decided by a majority of councillors with voting rights present and voting.
- k) The chairman of a meeting may give an original vote on any matter put to the vote and, in the case of an equality of votes, may exercise their casting vote whether or not they gave an original vote.
- l) Voting on a matter shall be by a show of hands. At the request of a councillor, the voting on any matter shall be recorded so as to show whether each councillor present gave their vote for or against the question, or abstained. Such a request shall be made before moving to the vote.
- m) A councillor with voting rights who has a disclosable interest or another interest as set out in the council's code of conduct (see paragraph 11) in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.
- n) 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 for a meeting of the council be less than four, or in the case of a committee three.
- o) If a meeting is or becomes inquorate, no further business shall be transacted and the meeting shall be closed. The business on the agenda shall be adjourned to a future meeting.

5. AGENDAS AND MINUTES OF MEETINGS

- a) An agenda shall be published along with the notice of each meeting. The agenda for council meetings shall contain at least the following items:
 - i Apologies for absence.
 - ii Declarations of interest and dispensations.
 - iii Public participation.
 - iv Minutes of previous meeting.
 - v Matters arising from previous meetings, report only.
 - vi Financial update.
 - vii Reports from village organisations or from parish councillors if appropriate.
 - viii Report by clerk of correspondence received and impact on the council.
 - ix Planning applications to be considered by the council: reference number, address, brief description. (Note: included on council meeting agenda unless a planning committee has been appointed in which case to be on its agenda.)
 - x Planning applications determined by Cornwall Council.
 - xi Matters for consideration by the council: brief description of the issue, the decision to be made, or item to be noted.
 - xii Date and time of next meeting.
- b) The minutes of a meeting shall include an accurate record of at least the following:
 - i The time and place of the meeting.
 - ii The names of councillors present and absent.
 - iii Interests that have been declared by councillors.
 - iv Whether a councillor left the meeting when matters in which they held interests were being considered.
 - v If there was a public participation session.
 - vi The resolutions made.

6. RESOLUTIONS AT MEETINGS

- a) Except as provided by these standing orders, no resolution may be moved unless the business to which it relates is on the published agenda for the meeting or the mover has given notice in writing of its terms and has delivered the notice to the clerk at least seven clear days before the meeting of the council.
- b) If the subject matter of the resolution comes within the terms of reference of a committee of the council, it shall, upon being moved and seconded at the council meeting, stand referred without discussion to the relevant committee provided that the chairman may, if he considers it to be a matter of urgency, allow it to be dealt with at the meeting at which it was moved.
- c) Every resolution shall be relevant to some matter over which the council has power or which affects its parish area.
- d) Resolutions dealing with the following matters may be moved without prior notice:
 - i To appoint a chairman of the meeting.
 - ii To correct an inaccuracy in the draft minutes of a meeting.
 - iii To move to a vote.
 - iv To defer consideration of a matter.
 - v To amend a motion.
 - vi To refer a motion to a particular committee.
 - vii To change the order of business of the meeting.
 - viii To proceed to the next item on the agenda.
 - ix To adopt a report.
 - x To appoint a committee and its members.
 - xi To extend the time limits for speaking.
 - xii To exclude the press and public from a meeting in respect of confidential information or information which is prejudicial to the public interest.
 - xiii To not hear further from a councillor or a member of the public.
 - xiv To exclude a councillor or member of the public for disorderly conduct.
 - xv To temporarily suspend the meeting.
 - xvi To suspend a particular standing order unless it reflects a mandatory statutory requirement.
 - xvii To adjourn the meeting.
 - xviii To close the meeting.
- e) A resolution made by the council on a particular matter shall not be reversed within six months except by a special motion which requires written notice by at least 5 councillors to be given to the clerk at least seven clear days before the meeting of the council.

7. VOTING ON APPOINTMENTS

- a) Where two or more persons have been nominated for a position to be filled by the council, the vote may be taken by a show of hands, or if requested by any councillor, a written ballot will be taken. The ballots will be viewed by the clerk and the clerk will report the result of the vote.
- 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 chairman of the meeting.

8. FILMING AND RECORDING OF MEETINGS

- a) While a meeting of the council or a committee is open to the public, any person, if present, may:

- i Film, photograph or make an audio recording of the meeting.
 - ii Report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.
- b) Oral reporting, commentary or broadcasting is not permitted during the meeting.
 - c) There will be no opportunity to report on any part of the meeting where the council has resolved to exclude the press and public.
 - d) No filming, photography or audio recording of a meeting should be carried out in such a way as to disrupt the proceedings of the meeting.
 - e) If persons disregard the request of the chairman to moderate their behaviour, any councillor may move that the person be instructed to cease filming, photographing or audio recording. The motion, if seconded, shall be put to the vote without discussion.
 - f) Members of the council recording meetings must stop recording when matters are being discussed in a confidential session.

9. CONFIDENTIAL INFORMATION

- a) The agenda and supporting papers and the minutes of meetings published in the public domain shall not disclose confidential or sensitive information that would not be in the public interest.
- b) Information that is confidential shall be recorded in the council's records by the clerk separately from the public records.
- c) Councillors and staff shall not disclose confidential or sensitive information that should not be in the public domain.

10. RULES OF DEBATE AT MEETINGS

- a) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c) A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e) An amendment is a proposal to remove or add words to, or to modify a motion. It shall not negate the motion.
- f) If an amendment to the original motion is carried, the amendment becomes the substantive motion upon which further amendment(s) may be moved.
- g) An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h) A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- j) Subject to standing order m) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k) One or more amendments may be discussed together if the chairman of the meeting considers this expedient, but each amendment shall be voted upon separately.
- l) A councillor may not move more than one amendment to an original or substantive motion.

- m) The mover of an amendment has no right of reply at the end of debate on it.
- n) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o) Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i to speak on an amendment moved by another councillor;
 - ii to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii to make a point of order;
 - iv to give a personal explanation; or
 - v in exercise of a right of reply.
- p) During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q) A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r) When a motion is under debate, no other motion shall be moved except:
 - i to amend the motion;
 - ii to proceed to the next business;
 - iii to adjourn the debate;
 - iv to put the motion to a vote;
 - v to ask a person to be no longer heard or to leave the meeting;
 - vi to refer a motion to a committee or sub-committee for consideration;
 - vii to exclude the public and press;
 - viii to adjourn the meeting; or
 - ix to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- s) Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t) Excluding motions moved under standing order t) above, 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 chairman of the meeting.

11. CODE OF CONDUCT AND DISPENSATIONS

- a) The council has adopted the Cornwall Council Code of Conduct for City, Community, Parish and Town Councils which will apply to all councillors and members of the public co-opted to serve on committees of the council.
- b) All interests arising from the Code of Conduct adopted by the council will be recorded in the minutes giving the existence and nature of the interest.
- c) Members must have particular regard to their obligation to record and leave the room for certain matters in which they have an interest as defined by the Code of Conduct or by relevant legislation.
- d) All councillors and members of the public co-opted to serve on council committees shall notify the council of any disclosable pecuniary interests, and of any updates, by notifying the clerk of within 28 days.

- e) The council shall maintain for public inspection, a register of members' interests that is compliant with the Code of Conduct and with relevant legislation.
- f) All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office
- g) Unless granted a dispensation, a councillor who has registered a Disclosable Pecuniary Interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.
- h) Unless granted a dispensation, a councillor who has declared a non-registerable interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.
- i) Where a non-registerable interest arises from membership of an outside body as defined in 3.5a of the council's code of conduct, a councillor may remain in the room to address the meeting, provide a short statement and answer questions for no more than three minutes, or longer at the discretion of the chairman, before leaving the room.
- j) Councillors must register any gifts or hospitality that they receive in connection with their official duties worth £50 or over.
- k) A member of the council may, for the purposes of his duty as a member but not otherwise, inspect any document which has been considered by a committee or by the council. The Proper Officer to the council may decline to allow inspection of any document which is protected by other legislation or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client. All minutes kept for any committee shall be open for the inspection of any member of the council during office hours.
- l) Dispensations: requests for dispensation 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.
- m) A decision as to whether to grant a dispensation shall be made by a meeting of the council, or committee for which the dispensation is required and that decision is final.
- n) A dispensation shall confirm:
 - i the description and the nature of the disclosable registerable 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.
- o) This policy shall apply to all meetings of the council and its committees.
- p) No dispensation will be awarded for any meeting where there are no minutes of the proceedings.
- q) A dispensation may be granted if in regard to all relevant circumstances the following applies:
 - i without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business, or
 - ii granting the dispensation is in the interests of persons living in the council's area, or
 - iii it is otherwise appropriate to grant a dispensation.

12. CODE OF CONDUCT COMPLAINTS

- a) Notification of any complaint shall remain confidential to the Proper Officer of the council (as defined in paragraph 14) until such time as the matter has been concluded, when the outcome of the complaint shall be reported to a meeting of the council.
- b) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the chairman or vice-chairman of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in this standing order, who shall continue to act in respect of that matter until the complaint is resolved.
- c) Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d) The council may:
 - i) provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii) seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- e) References 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.
- f) Upon notification by Cornwall Council that a councillor has breached the council's code of conduct, the council shall consider any recommendations and what, if any, action to take against them. Such action excludes disqualification or suspension from office and shall be limited to those sanctions recommended as part of the Decision Notice. The council has no ability to impose additional sanctions against a member found in breach of the Code of Conduct.

13. CORNWALL COUNCILLOR

- a) Invitations to attend meetings of the council shall be sent, together with the agenda, to the divisional councillor of Cornwall Council representing the area of the council.
- b) The council may invite the divisional councillor to present a report to meetings of the council.
- c) At the chairman's discretion, the divisional member may be invited to speak during any item on the agenda to make a short statement and to answer any questions.

14. 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 clerk is absent.
- b) The Proper Officer shall:
 - i) at least three clear days before a meeting of the council or a committee serve on councillors, a signed summons confirming the time, place and the agenda.
 - ii) give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee;
 - iii) convene a meeting of the council for the election of a new chairman of the council, occasioned by a casual vacancy in his office;
 - iv) facilitate inspection of the minute book by local government electors;
 - v) receive and retain copies of byelaws made by other local authorities;
 - vi) retain acceptance of office forms from councillors;
 - vii) retain a copy of every councillor's register of interests;
 - viii) assist with responding to requests made under the Freedom of Information Act 2000 and the Data Protection Act 2018;

- ix receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- x manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- xi arrange for legal deeds to be executed;
- xii arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- xiii record every planning application notified to the council and the council's response to the local planning authority;
- xiv refer a planning application received by the council to the Chairman or in his absence the vice-chairman of the council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the council;
- xv retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.

15. 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 (England)
- b) All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
- c) The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i the council's receipts and payments for each quarter;
 - ii the council's aggregate receipts and payments for the year to date;
 - iii the balances held at the end of the quarter being reported 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 for the last quarter and the year to date for information; and
 - ii to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e) The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

16. FINANCIAL CONTROLS AND PROCUREMENT

- a) The council has established Financial Regulations for the governance and management of its finances and to meet the requirements of the audit and accountability regime in place at the time. These are attached as Part II of these Standing Orders.
- 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.

17. REQUESTS FOR INFORMATION

- a) The council will endeavour to be as open as possible in responding to requests from the public for information about council matters.

- b) The council will abide by the terms of the Freedom of Information Act 2000 where formal requests are made and by the Data Protection Act 2018 in respect of subject access requests.
- c) Any correspondence or notices served on the council by the Information Commissioner Office will be included on the agenda of the next council meeting.

18. HANDLING STAFF MATTERS

- a) A matter personal to a member of staff that is being considered by a meeting of council or the staffing committee will be dealt with as a confidential matter where the press and public are excluded.
- b) The chairman of the council or in their absence, the vice-chairman shall, as per the clerk's contract of employment, conduct an annual appraisal/development review of the work of the Clerk. The review and appraisal shall be reported to the council.
- c) Subject to the council's policy regarding the handling of performance, capability, sickness, absence and disciplinary matters, the council's most senior employee (or other employees) shall contact the chairman of the council or in their absence, the vice-chairman of the council in respect of an informal or formal matter, and this matter shall be reported back and progressed by resolution of the council.
- d) Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the clerk relates to the 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 the Council.
- e) Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential.
- f) The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected.

19. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a) All councillors are free to express their personal opinions on matters relating to the council or other issues. However, where those opinions are relevant to an upcoming decision by the council, the councillor must ensure that they are not pre-determined on the matter when it is considered by the council.
- b) No councillor shall present their own views as being the views of the council unless and until the council has resolved that this is the council's position.
- c) No councillor shall issue orders, instructions or directions or incur any expenditure on behalf of the council unless and until the council has resolved so to do.

20. EXECUTION AND SEALING OF DEEDS

- a) A legal deed shall not be executed on behalf of the council unless authorized by a resolution of the council.
- b) Subject to a) above, any two councillors may sign on behalf of the council any deed required by law and the proper officer shall witness their signatures.

21. STANDING ORDERS GENERALLY

- a) All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b) A motion to add to or vary or revoke one or more of the council's standing orders must be proposed by a special motion, written notice of which shall be given by at least two councillors to the Proper Officer in accordance with standing order 6 a).

- c) The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after they have delivered their acceptance of office form.
- d) The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

TREGONY WITH CUBY PARISH COUNCIL
FINANCIAL REGULATIONS
April 2021

1. GENERAL

- a) These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders.
- b) The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- c) The council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - identifying the duties of officers.
- d) These financial regulations demonstrate how the council meets these responsibilities and requirements.
- e) At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- f) Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- g) Members of council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
- h) The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The clerk has been appointed as RFO for this council and these regulations will apply accordingly.
- i) The RFO:
 - acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the council up to date in accordance with proper practices;
 - produces financial management information as required by the council.
- j) The accounting records shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, and management information prepared for the council from time to time comply with the Accounts and Audit Regulations. The accounting records shall in particular contain:
 - entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the council; and

- wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- k) The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
 - measures to ensure that risk is properly managed.
- l) The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:
- setting the final budget or the precept (council tax requirement);
 - approving accounting statements;
 - approving an annual governance statement;
 - borrowing;
 - writing off bad debts;
 - declaring eligibility for the General Power of Competence; and
 - addressing recommendations in any report from the internal or external auditors, shall be a matter for the full council only.
- m) In addition, the council must determine and keep under regular review the bank mandate for all council bank accounts.

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- a) On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman or a cheque signatory shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council.
- b) The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- c) The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- d) The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- e) The internal auditor shall:
- be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;

- to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - has no involvement in the financial decision making, management or control of the council
- f) Internal or external auditors may not under any circumstances:
- perform any operational duties for the council;
 - initiate or approve accounting transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- g) The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- h) The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. ANNUAL BUDGET AND PRECEPT

- a) The RFO must each year, by no later than the November meeting of the council, prepare detailed estimates of all receipts and payments in the form of a budget to be considered by the council. These should include revenue items and potential capital items.
- b) The RFO must at the same time prepare estimates of the reserves that will be available to the council at the start of the following financial year, both allocated reserves and unallocated reserves, and make recommendations about how those reserves might be used in respect of forecast expenditure, or alternatively that money should be directed into those reserves.
- c) The council shall consider the annual budget proposals in relation to potential longer term issues including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- d) The council shall agree the budget and fix the requisite precept (council tax requirement) for the ensuing financial year preferably at the December meeting, but in all cases not later than the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- e) The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- a) Expenditure on revenue items may be authorised during the financial year up to the total amount included for that class of expenditure in the approved budget. The authority is determined as follows:
- The council should authorise at the start of each financial year those items that will arise on a regular basis as a result of a contract, statutory duty, obligation such as salaries, PAYE, national insurance, regular maintenance contracts, utilities etc.
 - The RFO, in consultation with the chairman, may authorise other expenditure during the year up to the value of £250 for any one item of expenditure.
 - In cases of extreme risk to council services or assets, the RFO, in consultation with the chairman, may authorise revenue expenditure where it is necessary to carry out emergency work such as repair, replacement or other works up the value of £500.
 - In all other cases, the council must authorise expenditure on items above £250.
- b) Where expenditure would exceed the amount provided in the revenue budget for that class of expenditure, that expenditure must be agreed by a resolution of the council.
- c) Any expenditure on making grants to other organisations or individuals shall be authorised by the council.

- d) During the financial year, the council may, by resolution, vary the amounts available under particular budget headings by moving monies from other budget headings (virement) or by movements into or out of reserves.
- e) All expenditure on capital items shall be agreed by resolution of the council and the source of funding for that expenditure identified whether it be by movement of monies out of reserves or from grant monies or other income.
- f) The RFO shall provide regular reports to the council with a statement of income and expenditure to date under each head of the budget, comparing actual expenditure to date against that planned in the budget. The reports should include balances in accounts and any impact on reserves. These statements should be prepared at the end of each quarter during the financial year and included in the next council agenda.

5. ORDERS FOR WORK, GOODS AND SERVICES

- a) A councillor may not issue an order or make a contract on behalf of the council.
- b) When placing an order for goods or services, the RFO shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction.
- c) Where there is a choice of supplier for certain goods or services, the council should obtain estimates, quotations or tenders whenever practicable before placing an order in accordance with the provisions of the following paragraphs.
- d) Where the council intends to procure or award a contract which is valued at £25,000 or more, the council will comply with the Public Contracts Regulations 2015:
 - An invitation to tender shall state the general nature of the intended contract and the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall state that tenders must be addressed to the RFO in the ordinary course of post. Each tendering firm shall be supplied with a marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders.
 - All sealed tenders shall be opened at the same time on the prescribed date by the RFO in the presence of at least one member of the council.
 - If an application is to be made to waive financial regulations relating to this process to enable a price to be negotiated without competition, the reason shall be included in a resolution of the council.
- e) Where the value of the proposed contract is more than £5,000 but less than £25,000, the RFO shall endeavour to obtain three quotations (priced descriptions of the proposed supply). If it is not possible to obtain three quotations, the reason shall be documented.
- f) Where the value of the proposed contract is more than £1,000 but less than £5,000, the RFO shall endeavour to obtain three estimates. If it is not possible to obtain three quotations, the reason shall be documented.
- g) Orders for goods or services from the same supplier to meet a single requirement shall not be disaggregated into a series of separate orders in order to meet the above criteria.
- h) The council shall not be obliged to accept the lowest or any tender or quotation or estimate but the reason for not accepting the lowest shall be documented.
- i) For the supply of utilities such as electricity, gas, water, sewage and telephone services, the RFO should research the potential suppliers and their tariffs and the preferred supplier should be agreed by the council. The council should review the suppliers and their tariffs at least every two years.
- j) For specialist services such as those provided by legal professionals and auditors, the RFO should research the potential suppliers and provide the necessary information for the council to decide before entering into an arrangement with the relevant firm.
- k) For insurance contracts, the council should review its contract and its prices at least every two years.

- l) For works to be executed or goods or materials supplied which consist of repairs to or parts for existing machinery or equipment, the order can be placed in accordance with financial regulation 5 b).
- m) For works to be executed or goods or materials supplied which constitute an extension to an existing contract, the order can be placed in accordance with financial regulation 5 b).
- n) For minor maintenance matters that are not covered by existing contracts, estimates should be obtained in advance of placing the order where practicable, but otherwise in accordance with financial regulation 5 b).
- o) For goods or materials that need to be purchased that are proprietary articles and/or only sold at a fixed price, the order can be placed in accordance with financial regulation 5b).
- p) For goods or services that are miscellaneous consumable items such as office sundries, for hire of halls, membership of organisations, the order can be placed in accordance with financial regulation 5 b).

6. AUTHORISATION OF PAYMENTS

- a) All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received or carried out and represents expenditure previously approved by the RFO or council. The RFO shall check each invoice for accuracy and shall allocate the expenditure to the appropriate expenditure heading.
- b) The RFO shall be authorised to pay those invoices that are in accordance with the expenditure previously authorised under the provisions of financial regulation 4.
- c) The RFO shall prepare a schedule of payments that have been authorised to form a part of the agenda for each council meeting. The schedule will include the supplier name, amount of each invoice, the budget heading under which the expenditure has been agreed, and how payment was made, or is to be made. The council will confirm that it has noted the payments made and that it is satisfied that they are in accordance with the financial regulations.

7. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- a) The council's banking arrangements, including bank mandate, shall be agreed by resolution of the council.
- b) Following authorisation under financial regulation 6, the RFO shall give instructions that a payment should be made.
- c) The preferred method of payment of invoices should be by electronic methods. In all cases, whether payment is made by BACS, CHAPS or internet banking, suitable systems should be set up to ensure that payment are approved by designated members as appropriate. Those members participating in verifying internet banking payments must ensure that any login details, passwords, PINs etc. are kept safe and secure and must ensure that their computers are kept up to date with anti-virus, anti-spyware and firewall software. Any suspected breaches of their systems must be reported promptly to the council and remedial action taken to avoid data or financial losses for the council.
- d) If agreed by the council, payment for utility supplies such as energy, telephone and water, and any national non domestic rates may be made by variable direct debit provided that the instructions are signed by two authorised members and any payments made are reported to the council on the usual schedule of payments. The approval of a variable direct debit mandate shall be renewed by the council each year.
- e) If agreed by the council, payment for certain items such as salaries may be made by banker's standing order provided that the instructions are signed by two authorised members and any payments made are reported to the council on the usual schedule of payments.
- f) Changes to account details for suppliers which are used for internet banking may only be changed on written hard copy notification by the supplier and details must be recorded securely by the RFO.

- g) Where electronic payments are not possible, payments may be effected by cheque. Cheques shall be drawn on the bank account and shall be signed by two members of the council duly authorised in accordance with the bank account mandate. The cheques may be signed at, or prior to, the council meeting.
- h) The council will not maintain any form of cash float. All cash received must be banked. Any payments made in cash by the RFO or others shall be refunded on a regular basis by the council.

8. ASSETS, PROPERTIES AND ESTATES

- a) The RFO shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. A record shall be maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held.
- b) No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible moveable property does not exceed £250.
- c) No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- d) No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- e) The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

9. INSURANCE

- a) The RFO shall ensure that the council has in place at all times an appropriate insurance contract. The RFO shall keep a record of all insurances and the property and risks covered thereby.
- b) The RFO shall be notified of any loss, liability or damage or event likely to lead to a claim and shall report these to the council at the next meeting.
- c) All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined each year by the council.

10. RISK MANAGEMENT

- a) The council is responsible for putting in place arrangements for the management of risk. The clerk shall prepare for approval by the council risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council each year.
- b) When considering any new activity, the clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

11. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- a) It is the duty of the council to review the Financial Regulations of the council from time to time. The RFO shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.
- b) The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

Tregony with Cuby draft budget 2021/22 revised April 2021

| | 2021/22 (£) | |
|--|-----------------|---------|
| Income | | |
| Precept | 25,000 | |
| CC agency footpaths | 330 | |
| Council tax support grant | 599 | |
| Car park rent | 100 | |
| Sports club ground rent | 100 | |
| Wind turbine grant | 3,333 | |
| Bank account interest | 0 | |
| Cemetery fees | 0 | Note 9 |
| War Grave Commission income | 0 | |
| Rent from cemetery field | 50 | |
| Other receipts | 0 | |
| Total income | 29,512 | |
| Payments | | |
| Staffing | | |
| Clerk's salary incl. burial board responsibility | 8,510 | Note 1 |
| Admin | | |
| Insurances | 664 | |
| Office sundries | 1,100 | |
| Audit fees, internal and external | 550 | |
| Hall hire | 250 | |
| Website | 2,000 | Note 2 |
| Subscriptions | | |
| CALC & SLCC | 600 | |
| Maintenance | | |
| Footpaths as per agency agreement | 1,500 | |
| Grass cutting, street maint'ce, general maint'ce | 6,998 | |
| Street cleaning | 1,000 | Note 11 |
| Memorial garden payment to volunteers | 100 | |
| Additional rural maintenance | 1,000 | Note 3 |
| Tyller Teg ROSPA | 200 | |
| Public lighting | 400 | |
| Clock tower maintenance | 400 | |
| Clock tower electricity | 150 | |
| VAS equipment maintenance | 400 | Note 4 |
| Sports field | 500 | Note 5 |
| Miscellaneous | | |
| Parish councillor expenses | 1,000 | Note 6 |
| Miscellaneous | 400 | |
| Parish council election | | |
| Election May 2021 | 1,500 | Note 7 |
| Cemetery | | |
| Cemetery grass cutting | 1,400 | Note 8 |
| Cemetery maintenance | 600 | Note 8 |
| Grants given | | |
| Tregony wind farm grants or projects | 3,333 | |
| Other excl. wind turbine grants | 500 | |
| Capital items | | |
| Sports field ramp | 8,000 | Note 10 |
| Total payments | 43,055 | |
| Movements into/(out of) reserves | (13,543) | |

| | |
|-------------|--|
| Note 1 | Includes PAYE and pension contributions |
| Note 2 | Maintenance fee £25 per month, plus initial set-up costs and domain registration |
| Note 3 | Assumes that parish does a bit more work in rural area, e.g. strimming junctions |
| Note 4 | VAS equipment: in case of issues with batteries, software etc. |
| Note 5 | Sports field: nothing specifically identified but covers any unexpected expenditure |
| Note 6 | New parish council: potential training courses for councillors |
| Note 7 | Contested election 6 May 2021 |
| Note 8 | Expenditure normally within burial board included in main parish council budget |
| Note 9 | Budget includes no burial fee income, but, in practice, there probably will be income |
| Note 10 | Ramp at Tyller Teg, 30% paid by Tregony PC, balance to be paid by Tregony with Cuby |
| Note 11 | Street cleaning included in maintenance contract, but sometimes additional cleaning necessary |
| Note re VAT | All figures exclude VAT. At end of each year, parish council reclaims from HMRC the VAT paid Thus VAT does not affect the budgeting process, but it affects the cash flow as parish council pays it first, then receives it back in following year |

Tregony with Cuby Parish Council

Code of Conduct for Members and Co-opted Members

General principles of public life

The Localism Act 2011 requires the Council to adopt a Code of Conduct for Members that is consistent with the following principles:

Selflessness – Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and integrity – Members should not place themselves in situations where their honesty and integrity may be questioned. The public nature of a Member's role means the distinction between acting in your official capacity and your private life may become blurred and a Member's honesty and integrity may therefore be questioned.

As a result, a Member must ensure that, as far as possible, there is clear separation between what they do in their private life and in their capacity as a Member. This is especially the case when a Member's activity in their private life relates to the functions of the Council and/or their corporate responsibilities as a Member such that a reasonable member of the public may perceive that the conduct comes within the scope of this Code of Conduct.

Objectivity – Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability – Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness – Members should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.

Leadership – Members should promote and support these principles by leadership and, by example, and should act in a way that secures or preserves public confidence.

Tregony with Cuby Parish Council also expects its Members to observe the following principles:

Duty to uphold the law – Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Personal judgement – Members may take account of the views of others,

including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others – Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

Stewardship – Members should do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.

Whilst these overriding principles are not formally part of the Code of Conduct, they underpin the purpose and provisions of the Code of Conduct and are principles in accordance with which Members should conduct themselves.

Introduction and Interpretation

1. This Code of Conduct has been adopted by Tregony with Cuby Parish Council to support its duty to promote and maintain high standards of conduct by Members of the Council as required by the Localism Act 2011.

2. In this Code:

"disclosable pecuniary interest" means an interest described in Part 5A of this Code and which is an interest of a Member or an interest of (i) that Member's spouse or civil partner; (ii) a person with whom that Member is living as husband or wife; or (iii) a person with whom that Member is living as if they were civil partners, and that Member is aware that that other person has the interest

"dispensation" means a dispensation granted by the Council or other appropriate person or body which relieves a Member from one or more of the restrictions set out in sub-paragraphs 3(5)(i), 3(5)(ii) and 3(5)(iii) of Part 3 of this Code to the extent specified in the dispensation

"interest" means any disclosable pecuniary interest or any disclosable non-registerable interest where the context permits

"meeting" means any meeting of the Council, and any of the Council's committees, sub-committees, or working groups

"Member" includes an Elected Member and a Co-opted Member

"Monitoring officer" means the Monitoring Officer of Cornwall Council. This is because the Localism Act 2011 requires the Monitoring Officer of the principal council to discharge certain ethical standard responsibilities in relation to the local councils in their area.

"non-registerable interest" mean an interest as defined in Part 5B of this Code

"register" means the register of disclosable pecuniary interests maintained by the Monitoring Officer of Cornwall Council

"sensitive interest" means an interest that a Member has (whether or not a disclosable pecuniary interest) in relation to which the Member and the Monitoring Officer consider that disclosure of the details of that interest could lead to the Member, or a person connected with the Member, being subject to violence or intimidation

"trade union" means a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992

3. This Code is arranged as follows:

| | |
|---------|-------------------------------------|
| Part 1 | Application of the Code of Conduct |
| Part 2 | General obligations |
| Part 3 | Registering and declaring interests |
| Part 4 | Sensitive interests |
| Part 5A | Pecuniary interests |
| Part 5B | Non-registerable interests. |

Part 1 – Application of the Code of Conduct

- 1.1 This Code applies to you as a Member of the Council.
- 1.2. This Code should be read together with the preceding general principles of public life.
- 1.3. It is your responsibility to comply with the provisions of this Code.
- 1.4 Subject to paragraphs 1.5 and 1.6 of this Code, you must comply with this Code whenever you:
 - (a) conduct the business of the Council, which in this Code includes the business of the office to which you have been elected or appointed; or
 - (b) act, hold yourself out as acting or conduct yourself in such a way that a third party could reasonably conclude that you are acting as a representative of the Council or use knowledge you could only have obtained in your role as a representative of the Council

and references to your official capacity are construed accordingly.

- 1.5 Where you act as a representative of the Council:
 - (a) on another authority which has a Code of Conduct, you must, when acting for that other authority, comply with that other authority's Code of Conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with this Code of Conduct, except and insofar as it conflicts with any lawful obligations to which that other body may be subject.
- 1.6 Where you are also a member of an authority other than the Council you must make sure that you comply with the relevant Code of Conduct depending on which role you are acting in. Your conduct may be subject to more than one Code of Conduct depending on the circumstances. Advice can be sought from the Monitoring Officer or one of their team.

Part 2 – General obligations

- 2.1 You must treat others with respect.
- 2.2 You must not treat others in a way that amounts to or which may reasonably be construed as unlawfully discriminating against them.
- 2.3 You must not bully or harass any person.
- 2.4 You must not intimidate or attempt to intimidate others.
- 2.5 You must not conduct yourself in a manner which is contrary to the Council's duty to promote and maintain high standards of conduct by Members.
- 2.6 You must not accept any gifts or hospitality that could be seen by the public as likely to influence your judgement as a member. You are responsible for declaring all gifts and hospitality that you receive in connection with your duties as a member over the value of £50 from a single source in one year, either in the form of a single gift or as a cumulative total. You must register such gifts or hospitality within 28 days of receiving either the gift or hospitality.
- 2.6 You must not do anything which compromises or is likely to compromise the impartiality of those who work for or on behalf of the Council.
- 2.8 You must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where –
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees in writing not to disclose the information to any other person before the information is provided to them; or
 - (iv) the disclosure is –
 - (a) reasonable and in the public interest; and
 - (b) made in good faith; and
 - (c) in compliance with the reasonable requirements of the authority, which requirements must be demonstrable by reference to an adopted policy, procedure or similar document of the Council or evidenced by advice provided by the proper officer of the Council.
- 2.9 You must not prevent or attempt to prevent another person from gaining access to information to which that person is entitled by law.
- 2.10 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

- 2.11 You must not use or attempt to use your position as a Member of the Council improperly to confer on or to secure for yourself or any other person an advantage or disadvantage.
- 2.12 You must when using the resources of the Council:
- (i) act in accordance with the reasonable requirements of the Council;
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (iii) have regard to any statutory or other requirements relating to local authority publicity.
- 2.13 You must not authorise the use of the Council's resources by yourself or any other person other than by your participation in a formal decision made at a meeting and in accordance with the Council's standing orders or other procedural rules.
- 2.14 When reaching decisions on any matter you must have regard to any relevant advice provided to you by the proper officer of the Council (usually the Clerk to the Council).
- 2.15 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.
- 2.16 You must comply with the requirements of the Monitoring Officer in assisting with any assessment or investigation relating to an alleged breach of the Code of Conduct and comply with any sanction that is imposed upon you for breaching the Code of Conduct.
- 2.17 You must complete Code of Conduct training within 6 months of taking office.

Part 3 – Registering and declaring interests and withdrawal from meetings

- 3.1 The provisions of this Part of this Code are subject to the provisions of Part 4 of this Code relating to sensitive interests.
- 3.2 Within 28 days of becoming a Member you must notify the Council's Monitoring Officer of any disclosable pecuniary interest that you have and your membership of any trade union(s) at the time of giving the notification.
- 3.3 Where you become a Member as a result of re-election or your co-option being renewed you need only comply with paragraph 3.2 of this Code to the extent that your disclosable pecuniary interests and your trade union membership(s) are not already entered on the register at the time the notification is given.
- 3.4 You are not required to notify non-registerable interests to the Monitoring Officer for inclusion in the register.

- 3.5 If you are present at a meeting and you are aware that you have a non-registerable interest, a disclosable pecuniary interest or an interest by virtue of any trade union membership in any matter being considered or to be considered at the meeting you must disclose that interest to the meeting if that interest is not already entered in the register and, unless you have the benefit of a current and relevant dispensation in relation to that matter, you must:
- (i) not participate, or participate further, in any discussions of the matter at the meeting;
 - (ii) not participate in any vote, or further vote, taken on the matter at the meeting; and
 - (iii) remove yourself from the meeting while any discussion or vote takes place on the matter, to the extent that you are required to absent yourself in accordance with the Council's standing orders or other relevant procedural rules.
- 3.5A Where a Member has a non-registerable interest in a matter to which paragraph 3.5 relates that does not benefit from a valid dispensation and that interest arises only from the Member's participation in or membership of a body whose objects or purposes are charitable, philanthropic or otherwise for the benefit of the community or a section of the community the Member may with the permission of the Chairman of the meeting or until such time as the Chairman directs the Member to stop, address the meeting to provide such information as they reasonably consider might inform the debate and decision to be made before complying with paragraphs 3.5(i), (ii) and (iii).
- 3.6 If a disclosable pecuniary interest or any membership of a trade union to which paragraph 3.5 relates is not entered in the register and has not already been notified to the Monitoring Officer at the time of the disclosure you must notify the Monitoring Officer of that interest within 28 days of the disclosure being made at the meeting.
- 3.7 Within 28 days of becoming aware of any new disclosable pecuniary interest or trade union membership or change to any disclosable pecuniary interest or trade union membership already registered or notified to the Monitoring Officer, you must notify that new interest or the change in the interest to the Monitoring Officer.
- 3.8 All notifications of disclosable pecuniary interests and trade union membership to the Monitoring Officer, excepting those made verbally at meetings, must be made in writing.
- 3.9 You must notify the proper officer of your Council in writing of the detail of all disclosable pecuniary interests that are notified or confirmed to the Monitoring Officer.

Part 4 – Sensitive interests

- 4.1 Members must notify the Monitoring Officer of the details of sensitive interests but the details of such interests shall not be included in any

published version of the register.

- 4.2 The requirement in paragraph 3(5) of Part 3 of this Code to disclose interests to meetings shall in relation to sensitive interests be limited to declaring the existence of an interest and the detail of the interest need not be declared.

Part 5A – Disclosable Pecuniary Interests

In this Part of the Code the expressions in the middle column have the meanings attributed to them in the right hand column

| | | |
|----------|---|---|
| (a)(i) | "body in which the relevant person has a beneficial interest" | means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director or in the securities of which the relevant person has a beneficial interest |
| (a)(ii) | "director" | includes a member of the committee of management of an industrial and provident society |
| (a)(iii) | "land" | includes an easement, servitude, interest, or right over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income |
| (a)(iv) | "relevant authority" | means the authority of which you are a member |
| (a)(v) | "relevant person" | means you, your spouse or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living with as if you are civil partners |
| (a)(vi) | "securities" | means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society |

The following table sets out the disclosable pecuniary interests that have been prescribed by the Secretary of State for the purposes of the Code of Conduct and the Localism Act, 2011.

| Interest | Description |
|----------|---|
| (b)(i) | Employment, office, trade, profession or vocation carried on for profit or gain |
| (b)(ii) | Sponsorship |
| | Any payment or provision of any other financial benefit (other than from the |

| | | |
|----------|---------------------|---|
| | | relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out your duties as a member, or towards the election expenses of you. This includes any payment or financial benefit from a trade union(as defined above) |
| (b)(iii) | Contracts | Any contract which is made between the relevant person (or a body which in which the relevant person has a beneficial interest) and the relevant authority under which goods and services are to be provided or works are to be executed and which has not been fully discharged |
| (b)(iv) | Land | Any beneficial interest in land which is within the area of the relevant authority |
| (b)(v) | Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer |
| (b)(vi) | Corporate tenancies | Any tenancy where, to your knowledge, the landlord is the relevant authority and the tenant is a body in which the relevant person has a beneficial interest |
| (b)(vii) | Securities | Any beneficial interest in securities of any body where that body, to your knowledge, has a place of business or land in the area of the relevant authority and either the total nominal value of the securities exceeds £25,000 or one hundredth of the total of the issued share capital of that body, or if the share capital of that body is of more than one class the total nominal value of the shares in any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class |

Part 5B – Non-registerable interests

You have a non-registerable interest where a decision in relation to a matter being determined or to be determined:

- (i) might reasonably be regarded as affecting the financial position or wellbeing of you, a member of your family or any person with whom you have a close association, or anybody or group which you are a member of more than it might affect the majority of council tax payers, rate payers or inhabitants in your electoral division or area; and

- (ii) the interest is such that a reasonable person with knowledge of all the relevant facts would consider your interest so significant that it is likely to prejudice your judgement of the public interest;

save that business relating to the following functions will not give rise to non-registerable interests:

- (iii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- (iv) statutory sick pay under, where you are in receipt of, or are entitled to the receipt of, such pay;
- (v) an allowance, payment or indemnity given to Members;
- (vi) any ceremonial honour given to Members; and
- (vii) setting of the council tax

and for the avoidance of doubt the above exceptions to the definition of non-registerable interests do not negate the requirements arising from having a disclosable pecuniary interest.

Tregony with Cuby Parish Council
Tuesday 18 May 2021
Committees of the Council and working groups

Parish council meetings and committee meetings are formal events. They have a clear purpose – to make decisions – and are not just talking shops. Furthermore, they are public events: the meetings must be advertised and the press and public have a right to observe, record and report on how the council operates. Exceptions are when sensitive issues are discussed, e.g. legal, contractual or staffing matters, in which case the council or the committee can agree to exclude the press and public for just that item of business.

Committees can have delegated powers from the full council, in which case they can make decisions on behalf of the council and report those decisions back to the full council.

Working groups are more informal. They do not have to meet in public and their role is advisory. If decisions need to be made, then the working group must refer the matter back to the full council so that a decision can be made.

Committees

Possible committees that could be set up by Tregony with Cuby Parish Council:

- Planning
- Cemetery and burials

Most planning applications will be considered by the full council at its monthly meeting. However, there may be occasions when a decision needs to be made by the council more quickly than by waiting for the next full council meeting. If a planning committee is established with a smaller number of councillors, e.g. 4 or 5, this planning committee could be convened at shorter notice to make a decision on an application. Such a meeting of the planning committee would still need to be advertised and held in public.

The parish council needs to decide if it wishes to establish such a planning committee and, if so, how many members it should have and which members will be appointed to it.

Cemetery and burials. Prior to the formation of Tregony with Cuby Parish Council, there was a Tregony and Cuby burial board comprising representatives from Tregony Parish Council and Cuby Parish meeting. It would typically meet twice a year. The clerk dealt with the paperwork for burials, but it requires two signatures for the burial certificates. Other matters discussed at the meeting included the upkeep of the two cemeteries and paying bills.

The parish council needs to decide if it wishes to establish a cemetery and burials committee and, if so, how many members it should have and which members will be appointed to it.

Working groups

Other matters that could benefit from having small groups of councillors assigned to lead on them but which do not require the establishment of formal committees include:

Footpaths – to monitor the condition of the public rights of way in the parish and to identify and recommend repairs that are required

Streets and lanes – to monitor issues on the public roads such as litter, repairs necessary, strimming of rural junctions, carriageway defects, and to recommend to full council any actions required

Play area – to ensure that regular inspections of the play area are made and that the play area is safe for use by children

Other open spaces – to monitor and report back on any issues at the Giggan, the memorial garden and the sand park

Clock tower – to hold keys for the clock tower and to identify works necessary from time to time

Risk assessments – to look out for potential hazards and make recommendations to the full council

Finance – to monitor expenditure and budgets and to report back to full council

VAS equipment – to have responsibility for ensuring the VAS equipment is working, batteries changed if necessary, produce reports from downloading data from the equipment

Sports field – to have responsibility for liaising with the Sports Club about management of this council asset

Human resources – to be responsible for matters related to our employee (the clerk) and to make recommendations as necessary

The parish council needs to decide what working groups that it wishes to establish, who will be on the groups, the parameters within which they will work.

**Tregony with Cuby Parish Council
Tuesday 18 May 2021
Outside bodies**

There are organisations within the parish that have traditionally asked that the parish council appoint members to their boards to assist with their work and for the parish council to be able to understand the issues facing those organisations.

The organisations that have done this are:

Banfield Charity: this is a small local charity that hands out small grants to eligible residents. Joy was appointed to be the parish council representative on this body for 4 years from 2018.

Hugh Boscawen Charity: this owns and maintains the almshouses on Tregony Hill. Joy is on the charity in her own right and the parish council has traditionally appointed a further two representatives to the charity.

Tregony Village Hall: the parish council has traditionally had one representative on this body and the village hall trustees would like the new parish council to continue with this.

Cornwall Association of Local Councils (CALC): the parish council may wish to appoint one or two parish councillors to act as representatives in dealing with CALC.

Truro and Roseland Community Network Panel: Tregony Parish Council rarely, if ever, attended meetings of the Community Network panel. It may wish to consider if it wants to do so in future, and, if so, to appoint one or more councillors to attend.

Mrs Mary E Symons
Tregony with Cuby Parish Council
Treburthes
Ruan High Lanes
TRURO
Cornwall
TR2 5JP

Select for Local Councils Policy Schedule

This insurance policy, which meets your demands and needs, has been based on the latest information obtained from you. The Policy, the Policy Schedule, any Certificates of Insurance and Endorsements form one document and should be read together. This Schedule replaces any previous Schedule.

| | |
|---|----------------------------------|
| Policy Number | YLL-2720864473 |
| Insured | Tregony with Cuby Parish Council |
| Business | Parish / Town Council |
| Period of Insurance | |
| From | 01 st April 2021 |
| To | 31 st March 2022 |
| and any other period for which cover has been agreed. | |
| Renewal Premium | £ 663.50 |

Premiums are inclusive of Insurance Premium Tax and/or VAT as appropriate.

| | |
|-----------------------|--------------------------------|
| Schedule Number | 82917929 |
| Long Term Agreement: | Not Applicable |
| Preparation Date | 09 th February 2021 |
| Prepared by | Ms Lucy Tallent |
| Policy Form Reference | MLAACC03 |

Policy Cover Declaration:

You, the Insured, are not aware of any known losses or events that could give rise to a claim, or circumstances that would be prejudicial to us, the Insurer, should the basis of cover on the below given insurance product (s) be changed.

This is important information, please read it carefully and check that the facts given about you are correct and that

we have included all the covers that you require. We are unable to give you advice so it is your responsibility to check the cover is correct for your organisation.

**Tregony with Cuby Parish Council
Tuesday 18 May 2021
Annual parish meeting**

In addition to the annual meeting of the parish council, there is the Annual Parish Meeting (or Annual Town Meeting).

This is, in legal terms, a quite separate body from the Council, but it is invariably the Council that arranges it (simply because it is unlikely that anyone else will do so). Its decisions are not binding on the Council, though a wise Council will normally want to take heed of what is said at the meeting.

The Annual Parish Meeting is a legacy from the Middle Ages, when Local Councils did not exist, and all local decision making was carried out by meetings of the whole community, taking place in the church vestry.

The Annual Parish Meeting is open to all electors of the Town or Parish, who have the right not only to attend but also to speak on any matter of local interest. This is in contrast to a Council meeting, where electors who are not Councillors have no automatic right to speak (though many councils do, of course, have a set time before or after the Council meeting when electors can raise matters of concern to them).

This meeting has its own minutes, which should be kept separately from the Council minutes, and these minutes can only be approved by the next Annual Parish Meeting which will, of course, not be held until the following year. It is however, good practice to bring the draft minutes of the Annual Parish Meeting to the next convenient meeting of the Local Council, since otherwise matters are unlikely to get progressed. But it is important that the Council does not actually approve these minutes, as they do not belong to the Council.

In a parish with a Local Council, the Chairman of the Council must, if s/he is present, take the chair – even if s/he is not an elector for the parish. If the Chairman is not present, the Vice-chairman of the Council must preside. If the Vice-Chairman is not present, then the Meeting must elect a Chairman, for this meeting only, from amongst the local electors present.

Many parish councils, when calling an annual parish meeting, invite local organisations to attend and to present information and reports about the activities of their organisation over the previous year, their plans for the year ahead, what assistance they might be looking for from the parish council etc.

Strictly speaking, the annual parish meeting should be held between 1 March and 1 June each year. However, there seems to be no sanction applied to the parish or the parish council if it fails to hold such a meeting, or holds it outside that date range. Given the short notice that would be given for a meeting in 2021 before 1 June and given that the Covid restrictions have discouraged such meetings until very recently, it may be that the parish council would wish to consider calling an annual parish meeting in late June or early July.