

PAPPLEWICK PARISH COUNCIL

Standing Orders



Adopted: May 2020

PAPPLEWICK PARISH COUNCIL

STANDING ORDERS

1. Councillors

- 1.1. Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Council, or of a Councillor who has been specifically designated by the Council for this purpose.
- 1.2. All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council's business.
- 1.3. The Code of Conduct adopted by the Council will define when a Councillor will declare a personal or prejudicial interest in an item for discussion at a Council meeting. The councillor will declare that interest and the nature of the interest at the earliest opportunity.
- 1.4. If a member/spouse has a pecuniary interest direct or indirect, within the meaning of Sections 94-95 of the Local Government Act 1972 and the Code of Conduct, in any contract, proposed contract or other matter, he/she shall, while it is under consideration by the Council withdraw from the meeting unless the interest is trivial in the manner described in section 97(b) or:-
 - a. The disability imposed upon him/her by those sections has been removed by the District Council; or
 - b. The Council invite him/her to remain; or
 - c. The contract, proposed contract or other material is under consideration as part of the report of a committee and is not itself the subject of debate.
- 1.5. No member of the Council or of any committee or subcommittee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or subcommittee as the case may be.
- 1.6. A Councillor must always give a reason when he/she propose to be absent from a meeting.
 - 1.6.1. Approval by the Council for the absence cannot be given unless a reason for the absence has already been given in writing (email acceptable) and recorded in the Council's Minutes.
- 1.7. All members may claim travel allowances for approved duties performed outside the Parish or Community.

2. Meetings

2.1. Meetings of the Parish Council shall be held at Papplewick and Linby Village Hall on Linby Lane, Papplewick. Should the Village Hall not be available then a suitable alternative meeting place will be used which meets the legal requirements for such meetings.

2.1.1. Ordinary Parish Council Meetings will be held on the second Wednesday of every alternate month starting at 7.15 pm unless the Council decides otherwise. The order of business for an ordinary Parish Council Meeting shall include:

- a. Open Forum
- b. Apologies for absence
- c. Declarations of Interest
- d. Acceptance of the Minutes of Previous Meeting
- e. Matters Arising from the Minutes
- f. Correspondence
- g. Accounts
- h. Planning
- i. Playing Field
- j. Reports by Councillors
- k. Date of Next Meeting

2.2. Additional items for the agenda to be agreed by the Clerk, Chairman and Vice Chairman as appropriate. The Council may only take decisions on items clearly specified on the agenda; if agreed by the chairman, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting. Members and General Public shall inform the Clerk, in writing or by email, eleven clear days prior to a meeting, or earlier, of other matters to be placed on the Agenda.

2.3. Points of order relate to procedure only and take precedence over other business.

2.4. The Chairman of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chairman is not present then the Vice Chairman will preside. If they are not present then the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chairman for the meeting.

- 2.5. The Annual Parish Assembly shall be held on the same evening but prior to the March meeting each year. The order of business for the Annual Parish Assembly will be:
 - a. Annual Report of Chairman
 - b. Annual Report of Representatives
 - c. Parishioners' Forum

- 2.6. The Annual Meeting of the Council shall be held on the second Wednesday in May in an ordinary year or as appropriate in an election year as the Council decided. The order of business for the Annual Meeting of the Council shall be as detailed below, followed by normal Parish business:
 - a. Election of Chairman
 - b. Election of Vice Chairman
 - c. Election of Representatives
 - d. Election of Committee/Working Party members
 - e. Statement of Accounts

- 2.7. The Finance Committee meeting will be held in October each year.

- 2.8. The HR Committee meeting will be held annually at a time and date to be decided by the Council.

- 2.9. All Committees must adopt the Council's Standing Orders, with the exception of the timing of meetings, which will be as detailed above.

- 2.10. The person presiding at a meeting may exercise all powers and duties of the Chairman.

- 2.11. Members shall vote by the show of hands, or if requested, by signed ballot. If a member required, a recorded vote shall be taken. A Proposer and Seconder shall be obtained before a vote is taken. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.

- 2.12. The public and press shall be admitted to all meetings of the Council which may, however, temporarily exclude the public and press by means of the following resolution: "That in the view of the (special/confidential) nature of the business about to be transacted, it is advisable in the public interest that the public/press be temporarily excluded and they are instructed to withdraw."

- 2.13. Flexible time for members of the public to speak may be allocated by the Chairman, during which time the meeting shall be adjourned.

- 2.14. Councillors will be advised of the meetings by the issue of a summons and agenda. This may be delivered by post, by hand or by email. In any case the agenda must be issued at least three clear business days before the meeting.
- 2.15. Public notices will be posted in Council notice boards informing members of the public of the venue, time, date and business to be transacted at the meeting. The notice will be posted at least three clear working days before the meeting.
- 2.16. A notice of meeting shall be sent together with an invitation to attend to the County Councillor and District Councillors.
- 2.17. Four members in attendance shall constitute a quorum. If there be insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.
- 2.18. Any Working Parties set up by the Council may meet without members of the general public being informed but any final decision must be ratified by the full Council before being implemented.
- 2.19. An extraordinary meeting may be called by the Chairman. The notice for this meeting will be the same as for other meetings, with a summons and agenda issued.
- 2.20. If the Chairman refuses to call an extraordinary meeting after a written (email acceptable) request signed by two Councillors, after seven days two members may convene an extraordinary meeting of the Council.
- 2.21. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes which are circulated will be draft minutes until they are approved by the Parish Council at their next meeting and signed by the person presiding at that meeting.

3. Finance

3.1. Responsible Finance Office (RFO)

- 3.1.1. The Responsible Finance Officer is a statutory office and appointed by the Council. The Clerk of the Council will take on this role of managing the Council's financial affairs in accordance with Proper Practices.

3.2. Estimates and Precept

- 3.2.1. The RFO will compile estimated of income and expenditure annually for the Council's consideration. The Council will review the budget at the annual Finance Committee meeting in October each year and the precept will be agreed, subject to ratification by the full Council at the November meeting, and submitted to the Collection Authority in January.

3.3. Accounting and Audit

- 3.3.1. The RFO will determine all accounting procedures and financial records of the Council in accordance with the Accounts and Audit Regulations.
- 3.3.2. The RFO will complete the annual financial statements of the Council including the annual return as soon as practicable after the end of the financial year and will submit and report on them to the Council. The Council will review each year and ensure that there is an adequate, effective system of internal audit of the Council's accounting, financial and other procedures in line with Proper Practice.
- 3.3.3. An Internal Auditor will be appointed by the Council to carry out the work required to comply with Proper Practice. The person appointed will be competent and independent of the operation of the Council.
- 3.3.4. The RFO will submit the Annual Return to the External Auditor by the due date, ensuring the return is complete.

3.4. Banking arrangements

- 3.4.1. All accounts for payment of claims upon the Council shall be sent to the Clerk. The Clerk will consult with all Councillors that they are happy for the Clerk to make arrangements for payment. The Clerk be authorised to make such payments and to settle accounts between meetings after said consultation. All payments where possible to be made by Automated Bank Payment and authorised by two of those Councillors registered so to do. Should cheque payment be required, the signatures of two Councillors will be required.
- 3.4.2. See also Financial Regulations 2020 Clauses 5 and 6.

3.5. Loans and investments

- 3.5.1. All loans and investments will be negotiated in the name of the Council and will be set for a period approved by the Council
- 3.5.2. All borrowings will be in the name of the Council and will not be entered into until necessary approvals have been given. Any application will be approved by Council, especially the terms and purpose. These terms must be reviewed annually.
- 3.5.3. All investments of money under the control of the Council will be in the name of the Council and all certificates or other documents will be retained by the RFO.

3.6. Contracts and Purchase Orders

3.6.1. All Councillors and officers are responsible for obtaining good value for money at all times. An officer placing an order on behalf of the Council will ensure that good value and appropriate terms are obtained for the transaction. All estimates will be approved by the Council; while the Council is not obliged to accept the lowest quotation the reasons for accepting the quotation will be noted by the RFO.

3.6.2. See Financial Regulations 2020 clauses 11 and 12.

3.7. Assets

3.7.1. The RFO will ensure that an appropriate and accurate Register of Assets maintained by the Council. It will be reviewed annually, in conjunction with a health and safety inspection of assets if appropriate.

3.8. Insurance

3.8.1. At the annual Finance Committee meeting, the Council will review the level of insurance cover and ensure it is adequate and appropriate for the activities of the Council. Minimum cover will include Public Liability, Employers Liability, Money and Fidelity Guarantee.

3.9. VAT

3.9.1. The RFO will promptly complete any VAT Return that is required. Any repayment claim due in accordance with the VAT Act 1974 section 33 will be made at least annually coinciding with the financial year.

4. Clerk to the Council

4.1. The Council may appoint a number of employees to assist it in the performance of its duties. The Council will appoint a Clerk to the Council which will be on an employed basis, unless the Clerk is a member of the Council, acting in an unpaid capacity.

4.2. The Clerk will act as the Proper Officer of the Council, and he/she will: receive the Declarations of Acceptance of Office and notices disclosing interests; sign documents on behalf of the Council and issue agendas and notices of meetings; received and distribute plans and documents on behalf of the Council; and also advise the bank of changes to mandates with the bank. The Clerk will act as Responsible Financial Officer.

4.3. As an employee of the Council the Clerk is covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters, The Clerk will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chairman or designated Councillor acting with the authority of the Council.

- 4.4. On receipt of planning applications the Clerk shall enter details in a database kept for this purpose including date received; address of property; summary of application and date returned.

5. Committees and working parties

- 5.1. The Council from time to time may set up committees and working parties to undertake work on behalf of the Council. The Council will set their Terms of Reference, and they will report periodically to the Council.

6. Emergency Business

- 6.1. Should it not be appropriate to convene a special meeting then any emergency business will be handled by the Clerk, in consultation with the Chairman and one other Councillor. Actions will be reported promptly to the Council.

7. Responsibilities under Data Protection Legislation

- 7.1. If required by legislation, the council shall appoint a data protection officer
- 7.2. The council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- 7.3. The council shall have a written policy in place for responding to and managing a personal data breach.
- 7.4. The council shall keep a record of all personal data breaches, comprising the facts relating to the personal data breach, its effects, and the remedial action taken.
- 7.5. The council shall ensure that information communicated in its privacy notices is in an easily accessible and available form, and kept up to date.
- 7.6. The council shall maintain a written record of its processing activities.

8. Standing Orders

- 8.1. As well as the Specified Standing Orders, the Council may adopt any of the Model Standing Orders presented in the National Association of Local Councils Handbook if the members so wish.

These Standing Orders were adopted by the Parish Council at a meeting of the Council held on 13th May 2020