

# WARK 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 and other relevant briefing material for 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 Disclosable Pecuniary Interest and Other Interests 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. On receipt of a written application from a councillor, the Council may grant a dispensation to him or her to speak and (if agreed by the Council) to vote on a matter in which he or she has an interest. The Council will record in the minutes the details of the dispensation which is granted, for public inspection.

1.5. **Chairman** It is recommended that a chairman should not be expected to serve in excess of three years and whenever possible The Chairman and Vice Chairman should represent different Wards.

## **2. Annual Meetings**

2.1. If the Annual Meeting is in an election year it must be held within 14 days after that election. If it is not an election year then the annual meeting will take place on an appropriate day in May.

2.2. If the outgoing Chairman is available then he/she will preside until a new Chairman has been elected. The first business of the Annual Meeting will be the election of the Chairman (and Vice Chairman, if appropriate) and to receive their acceptance of office.

2.3. The retiring Chairman will report on the activities of the Council for the preceding year.

2.4. In addition to the business in 2.2 and 2.3 above, the business of and requirements for an annual meeting will be subject to the same provisions as are specified for council meetings in section 3, below.

## **3. Meetings**

3.1. Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol.

3.2. An agreed frequency of meetings will be decided at the Annual Meeting and Councillors will be advised of the meetings by the issue of a summons and agenda delivered by post or by hand. The agenda may be delivered by email provided the Council has previously agreed to this. In any case the agenda must be issued at least three clear working days before the meeting. The requirement for the issue of the summons and agenda also applies to additional ordinary meetings or extraordinary meeting should they be required.

3.3. Public notices will be posted on the Website and in conspicuous places 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.

The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.

3.4. Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is regarded as confidential.

**3.5. Recording Meetings:** The Council and the public have the right to record and transmit electronically the proceedings of a meeting of the Council and of any of its committees. However, the Council would expect that anyone wishing to record will inform those present of their intention to do so. No recording may be made of the public who are in attendance at the meeting, or of matters that occur in the meeting-place immediately prior to or following the meeting, without the Council's prior consent.

**3.6 Public participation:** The period of time designated for public participation at a meeting shall not exceed 15 minutes unless directed by the chairman of the meeting.

3.7. Subject to standing order 3.6 above, a member of the public shall not speak for more than 2 minutes.

3.8. In accordance with standing order 3.6 above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.

3.9. A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.

3.10. A person who speaks at a meeting shall direct his comments to the chairman of the meeting.

3.11. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

3.12. Members of the public may speak at Council meetings at the discretion of the Chairman of the meeting.

3.13. The agenda for the meeting will be agreed by the Clerk, Chairman and Vice Chairman as appropriate. The agenda will always include an item to enable Councillors to declare interests. An opportunity for public questions will be made available immediately before the commencement of each meeting. See 3.6

3.14. 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.

3.15. 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 neither is 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.

3.16. The quorum for the Council will be one third of the total Councillor places but in any case not fewer than 3. 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.

3.17. If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any remaining business carried forward to the meeting when next convened.

3.18. Voting at the meeting shall be by a show of hands unless a majority of Councillors wants a ballot. Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted. A Councillor may also request that the Clerk records how each Councillor has voted, including abstentions. Any request of this nature will be made before moving on to the next business.

3.19. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.

### **3.20. Minutes:**

A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes will record any decisions made by the Council. Draft minutes will be circulated to Councillors as soon as practicable, at the latest within three weeks after the meeting. Councillors will supply any suggested amendments after which and within one month the amended unapproved draft minutes will be made available to the public. The minutes will then be approved at the following meeting and signed by the person presiding at that meeting. These approved minutes will be scanned and saved electronically and included in the papers for the following meeting. On completion of the Audit signed copies of approved minutes will be deposited at County Archives.

**4. Emergency Business.** Should it not be appropriate to convene an extraordinary meeting then any emergency business will be handled by a designated person, usually the Clerk or Chairman. The scope of the delegated authority should be minuted and periodically reviewed. Actions will be reported promptly to the Council.

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

**5.2 VAT** 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.

## **6. Insurance**

6.1. Following the annual risk assessment 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.

## **7. Risk Assessment**

7.1. A risk assessment will be undertaken annually of all the activities of the Council and a report approved by the Council. This assessment will also cover the appropriateness of the internal audit arrangements. The Risk Assessment will be reviewed annually, and recorded in the minutes of the Council meeting.

7.2. If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences.

## **8. Freedom of Information**

8.1. The Council is subject to the Freedom of Information Act and has adopted the Model Publication Scheme for Parish Councils. The Clerk will ensure the

Council conforms to the requirements of the Act allowing public access to the appropriate documents. The Council should periodically review the procedure and scheme.

## **9. Clerk to the Council**

9.1. 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.

9.2. 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 summons agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council; and also advise the bank of changes to mandates with the bank.

9.3. The Clerk will act as Responsible Financial Officer.

9.4. As an employee of the Council the Clerk is covered by employment legislation that deals 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. The Council must also have a Discipline and Grievance procedure in place.

## **10. Committees and task-and-finish groups**

10.1. The Council from time to time may set up committees and task-and-finish groups to undertake work on behalf of the Council. The Council will set their Terms of Reference, and they will report periodically to the Council.

## **11. Alteration or Reversal of previous decisions**

11.1. Decisions of the Council will not be reversed within 4 months, except where a special item is placed on the agenda bearing the name of two Councillors, and is considered and approved by the Council.

## **12. Standing Orders**

12.1. These and any other Standing Orders will be reviewed annually by the Clerk and the Chairman, and any amendments will be decided by the Council.

12.2. During the course of meetings of the Council, the Chairman's decision as to the interpretation of the Standing Orders will be final. In cases of doubt, the Council will seek the advice of the Northumberland Association of Local Councils.

12.3. The Council may resolve to suspend a Standing Order in order to progress the business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time limited.

## **13. Transparency Code**

The Council is subject to the Transparency Code for Parish Councils. The Clerk will ensure the Council conforms to the requirements of the Code allowing public access to the appropriate documents.

Standing Orders were reviewed and approved 20th February 2017

Reviewed 16 June 2021