QUATT MALVERN PARISH COUNCIL.

STANDING ORDERS

1. MEETINGS:

a) Meetings will normally be held on the fourth Thursday of every other month at 7.30pm in the Quatt Village Hall, or some other suitable place should this not be available.
b) Smoking is not permitted at any Meeting of the Council.
c) No member of the Public shall speak in a Meeting (exception - Open Forum), unless invited to do so by the Chairman on direction of the Council, and then only by a resolution to temporarily adjourn the Business of the Meeting.

2. THE STATUTORY ANNUAL MEETING:

a) In an Election year the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the Councillors elected take office
b) In a year which is not an Election year shall be held on such a day in May as the Council have decided i.e. the fourth Thursday.
c) In addition to the Statutory Annual Parish Council Meeting, at least five other Statutory Meetings must be held.

3. CHAIRMAN OF THE MEETING:

The person presiding at a Meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.

4. PROPER OFFICER:

Where a statute, regulation, or order confers function or duties on the proper Officer of the Council in the following cases, he shall be the Clerk and Responsible Financial Officer or similar nominated Officer:-
a) To receive Declarations of Acceptance of Office.
b) To receive and record Declarations of Interest at Meetings.
c) To receive and retain Plans and documents.
d) To sign notices and other documents on behalf of the Council.
e) To receive copies of bylaws made by a higher Local Authority.
f) To certify copies of bylaws made by the Council.
g) To sign and issue the summons to attend the Meetings of the Council.
h) To keep proper records for all Council Meetings.

5. QUORUM OF THE COUNCIL:

THREE Members or one-third of the total membership, whichever is the greater, shall constitute a quorum at Meetings of the Council.
If a quorum is not present or if during the Meeting the number of Councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the Meeting shall be adjourned and any business not completed shall be transacted at the next Meeting or on such other day as the Chairman may fix.
For a quorum relating to a Committee or Sub-Committee, except where ordered by the Council, the quorum shall be one-half of its members.

6. VOTING:

a) Members shall vote by a show of hands, or if at least two Members so request, by a signed ballot.
b) If a Member so requires, the Clerk shall record the names of the Members who voted on any matter to show whether they voted for or against. Such a request should be made BEFORE moving on to the next item of business.
c) The Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he / she gave an original vote.
d) If the person presiding at the Annual Meeting of the Council would have ceased to be a Member of the Council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of Office (i.e. after they have been replaced), the Chairman may not give an original vote in the election for Chairman, but the person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

6. ORDER OF BUSINESS:

At each Annual Parish Council Meeting the first business shall be:
a) To elect a Chairman of the Council.
b) To receive the Chairman's Declaration of Acceptance of Office.
c) In the year of Election of the Council, to fill any vacancies left unfilled at the Election by reason of insufficient nominations.
d) To decide when any Declarations of Acceptance of Office and written undertakings to observe the Code of Conduct adopted by the Council which have not been received as provided by Law, shall be received.
e) To elect a Vice-Chairman.
f) To deal with appointments as required by the Financial Regulations.
g) To appoint representatives to outside bodies.
h) To appoint Committees and Sub-Committees.
i) To consider any payment of Subscriptions falling to be paid annually.
j) To inspect any deeds and trust investments in the custody of the Council.

At every meeting other than the Annual Meeting, the first business shall be: To appoint a Chairman, if the Chairman and Vice-Chairman are both absent.

7. EMPLOYMENT:

In every year, and not later than the Meeting at which the Precept for next year is settled, the Council shall consider and review the pay and conditions of Service for any Employee.

8. OTHER BUSINESS:

After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:
a) To approve and consider the Minutes of the last Meeting provided that a copy of the Minutes has been circulated to each Member not later than the day of issue of the summons to attend the Meeting.
b) After consideration to approve the Minutes, the signature of the person presiding shall be added to the correct record.
c) To deal with the business expressly required by statute to be done.
d) To dispose of any business remaining from the previous Meeting.
e) To receive and consider any reports and Minutes of Committees.
f) To authorise and sign any Orders / Direct Payments / Cheques for payment.

9. URGENT BUSINESS:

A motion to vary the order of the remaining business on the grounds of urgency may be proposed by the Chairman or by any Member and shall be put to the vote without discussion.

10. RESOLUTIONS MOVED ON NOTICE:

Except where provided for in the Standing Orders, NO resolution may be moved UNLESS the business to which it relates has been put on the Agenda by the Clerk, or put on as a result of notice to the Clerk at least 7 clear days before the next Meeting of Council. Any resolution or recommendation shall be relevant to some subject over which the Council has power or duties to act.

11. RESOLUTIONS MOVED WITHOUT NOTICE:

a) To appoint a Chairman of the Meeting.
b) To correct the Minutes.
c) To approve the Minutes.
d) To alter the order of Business.
e) To appoint a Committee or any members thereof.
f) To exclude the Public or Press.
g) To silence or eject from the Meeting a Member named for misconduct.
h) To suspend Standing Orders.
i) To adjourn the Meeting.

12. RULES OF DEBATE:

a) No discussion shall take place on the previous Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman and the Clerk.
b) A Member shall direct his / her speech to the question under discussion, or to a personal explanation, or to a question of order.
c) No speech by a mover of a resolution or any speech shall exceed 5 minutes.
d) A motion or amendment may be withdrawn by the proposer with the consent of the Council.
e) When a resolution is under debate no other resolution shall be moved excepting the following:
    i. To amend the resolution.
    ii. To proceed to the next business.
    iii. To adjourn the debate.
    iv. That the question be now put.
    v. That a Member named be not further heard.
    vi. That the Member named do leave the Meeting.
    vii. To exclude the Public and / or the Press.
    viii. To adjourn the Meeting.

f) All Members shall address the Chairman rather than the Public (if present).
g) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
h) Closure: At the end a speech a Member may, without comment, propose "that the question be now put."
If there is no amendment the Chairman shall put the motion to the vote.

13. DISORDERLY CONDUCT:

a) All Members must observe the Code of Conduct which was adopted by the Council and occasionally amended – a copy of which should be provided to all Members.
b) No Member shall at a Meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
c) If, in the opinion of the Chairman, a Member has acted in a manner contrary to that required, the Chairman shall express that opinion to the Council and thereafter any Member may move that the Member named shall no longer be heard or that the Member named do leave the Meeting, and the motion shall be put forthwith and without discussion.
d) If the motion is disobeyed, the Chairman may adjourn the Meeting forthwith.

14. VOTING ON APPOINTMENTS:

Where more than two people have been nominated for any position to be filled by the Council and of the votes given there is not an ABSOLUTE majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken and so on, until a majority of votes are given in favour of one person.

15. EMPLOYEES:

If at a Meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary, or conditions of Service of any person employed by the Council, it shall not be considered until the Council has decided whether or not the Public and / or the Press shall be excluded.

16. FINANCIAL REGULATIONS:

a) These Financial regulations govern the conduct of the Financial transactions of the Council and may only be amended or varied by resolution of the Council.
b) The Council shall annually appoint a Responsible Financial Officer (RFO) usually, but not necessarily the Clerk, who under the policy direction of the Council, shall be responsible for the proper administration of the Council's Financial affairs.
c) The RFO shall be responsible for the production of financial management information and shall annually prepare detailed estimates of receipts and payments for the next financial year, and make this information available to every Member.
d) The annual budgets shall form the basis of financial control for the ensuing year.
e) The Clerk may incur expenditure on behalf of the Council for any work which is of such extreme urgency that it must be done at once, whether there is any budgetary provision for that expenditure, subject to a limit of £200. The Clerk should report this action to the Council as soon as practicable thereafter.
f) All capital works shall be administered in accordance with the Council's Standing Orders on relation to "Contracts."
g) All Accounting procedures and Financial records of the Council shall be determined by the RFO as required by the Accounts and Audit Regulations 2014 (draft) and as amended from time to time.

17. AUDIT:

a) The RFO will be responsible for completing the annual financial statements of the Council as soon as practicable after the end of the Financial Year and shall submit them and report thereon to the Council.
b) The RFO shall be responsible for completing the Accounts of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Audit Commission) and for submitting the Annual Return for approval and authorisation by the Council within the timescales set by the Audit Commission Act 1998.
c) The RFO shall be responsible for ensuring that there is an adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with Regulation 5.
d) The Council shall appoint an Internal Auditor who shall be competent and independent of the operations of the Council, who shall report to the Council in writing on a regular basis with a minimum of one annual report in respect of each financial year.
e) The RFO shall as soon as practicable, bring to the attention of all Councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

18. EXPENDITURE:

a) All Orders for payment of money shall be examined, verified and authorised by resolution of the Council.
b) Due payments which arise on a regular basis such as Salary, PAYE and N.I. shall be paid by Direct Bank Payment made by the Clerk (R.F.O.) and authorised as above by two Members of the Council by confirming and initialling the documents as (d).
c) Cheques drawn on the Bank Account shall be signed by any two Members and countersigned by the Responsible Financial Officer.
d) All Invoices for payment shall be examined, verified, and certified by the Clerk. Members signing Cheques should satisfy themselves that the payment relates to the invoiced amount and should initial both the document and the cheque stub (counterfoil) accordingly.
e) A document shall not be sealed on behalf of the Council unless authorised by resolution.
f) Any two Members of the Council named in a resolution moved under the provisions of paragraph (b) of this order may seal, on behalf of the Council any document required by Law to be issued under seal.
g) The Council will not maintain any cash. All cash received by the Clerk must be banked intact and within two working days of receipt. Any payments made in cash by the Clerk (RFO) - for example for postage, stationery items etc., shall be refunded on a regular basis.

19. PAYMENT OF SALARIES:

Payment of Salaries and payment of deductions from Salary such as may be made for tax, national insurance and pension contributions (where necessary) must be reported and ratified at the next available Council Meeting. The Council is now responsible for the payment electronically of Income Tax, plus Pension Contributions and NIC's (both if necessary). – Financial Briefing F03-14.

20. CONTRACTS:

a) All Members and Officers are responsible for obtaining value for money at all times. An Officer issuing an official order is to ensure as far as possible that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in the Regulations below.
b) Every contract shall comply with these financial Regulations, excepting the following:
    i. for the supply of gas, electricity, water, sewerage and telephone.
    ii. for specialist services provided by Solicitors, Accountants, Surveyors and Planning consultants.
    iii. for work to be executed or goods and materials which consist of repairs to existing machinery, equipment or plant.
    iv. for work to be executed which constitute an extension of an existing contract by the Council.
    v. for additional Audit work up to a value not exceeding £200.
    vi. For goods and materials proposed to be purchased for resale.
c) Where it is intended to enter into a Contract exceeding £20,000 in value for the supply of goods and materials or for the execution of works or specialist services, the Clerk (RFO) shall invite tenders from at least three firms to be taken from the appropriate approved list, and should this not be available then notice shall be given in a Newspaper(s) circulating in the District.
d) Where it is intended to enter into a Contract of less than £20,000 then the Clerk (RFO) shall obtain three quotations.
e) Where the value is below £3000 but above £200 then the Clerk (RFO) shall strive to obtain three estimates for the proposed supply, otherwise for an amount of less than £200 the Clerk may be authorised to obtain the goods, materials, or services without estimate.
f) If no tenders are received or if all tenders are for an equal value, the Council may make such arrangements for procuring the goods as it thinks fit.
g) Any variation, omission, or addition to a Contract must be approved by the Council and the Clerk (RFO) to the Contractor in writing and the Council be informed as to the final cost, especially if it may exceed the financial budget or provision.

21. MEMBERS INTERESTS:

a)) The Clerk may be required to compile and hold a Register of Members Interests, or a copy thereof, in accordance with an agreement reached with the Responsible Authority and as required by statute.

b)) Canvassing by Members of the Council or any Committee, directly or indirectly, for any appointment or Contract for work is not allowed, although a Member may give a written testimonial of a Candidates or Suppliers worth, in relation to a Contract of Employment or engagement.

c) No Member of the Council or of any Committee shall in the name of the Council:
    i. Inspect any lands or premises which the Council has a right or duty to inspect; or
    ii. Issue any orders, instructions or directions:

UNLESS authorised to do so by the Council or the relevant Committee.

22. INSURANCE:

a)) Following an annual risk assessment, the RFO shall effect all Insurances and negotiate all claims on the Council's Insurers.
b)) The Clerk shall give prompt notification of all new risks which require to be insured and any alterations affecting existing Insurance.
c)) A Risk Assessment shall be carried out prior to, or at the Financial Meeting. All employees of the Council shall be included in a suitable fidelity guarantee which shall cover the maximum risk exposure as determined by the Council.

23. ADMISSION TO MEETINGS:

The Public and Press shall be admitted to all Meetings of the Council and its Committees, but may be temporally excluded by means of the appropriate resolution, and with the reasons for exclusion stated in the Minutes.

24. CONFIDENTIAL BUSINESS:

No Member of the Council or any Committee shall disclose to any person not a Member of the Council, any business declared to be CONFIDENTIAL by the Council or Committee of the Council. Any Member in breach of this ruling may be subject to the necessary discipline of the appropriate Authority.

25. LIAISON WITH THE SHROPSHIRE COUNCILLOR(S):

An Agenda for each Meeting should be sent to the Shropshire Councillor(s) with an invitation to attend [should he / she so require]. Also Minutes, as appropriate. Unless the Council shall so decide, a copy of any letter to the County should be sent to the relevant Councillor(s) involved regarding any important matter.

26. VARIATION OF STANDING ORDERS:

Any amendment or variation to these Standing Orders shall be, when proposed, stand adjourned until the next Meeting of the Council for ratification.

27. STANDING ORDERS TO MEMBERS:

A copy of these Standing Orders shall be given to every Member by the Clerk.

THE AMENDED STANDING ORDERS WERE ADOPTED AT THE MEETING OF THE QUATT MALVERN PARISH COUNCIL HELD ON THE TWENTY SEVENTH DAY OF SEPTMBER 2017 AT MINUTE 56 and further approved 20.05.2021