

BYWELL PARISH COUNCIL

Standing Orders

As revised by the Northumberland Associations of Local Councils, and adopted by the Parish Council September 2017

1. Councillors

- 1.1. Following election or co-option to the Parish Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders and other relevant briefing material for the Parish Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Parish Council, or of a Councillor who has been specifically designated by the Parish Council for this purpose.
- 1.2. All Councillors will observe the Code of Conduct at all times when on Parish 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 Parish Council will define when a Councillor will declare a Disclosable Pecuniary Interest and Other Interests in an item for discussion at a Parish 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 Parish Council may grant a dispensation to him or her to speak and (if agreed by the Parish Council) to vote on a matter in which he or she has an interest. The Parish Council will record in the minutes the details of the dispensation, which is granted, for public inspection.

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 Chair is available, then he/she will preside until a new Chair has been elected. The first business of the Annual Meeting will be the election of the Chair (and Vice Chair, if appropriate) and to receive their acceptance of office.
- 2.3. The retiring Chair will report on the activities of the Parish 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 Parish Council meetings in section 3, below.

3. Meetings

- 3.1. Three clear days' notice of a meeting will be given at all times including any extraordinary meeting called by the Chair or Councillor(s).
- 3.2. Bywell Parish Council aim to restrict meetings to 2 hours in total. The layout of the meeting will be of a formal setting with sufficient seating for all Members of the Public.
- 3.3. Meetings will be limited to 6 in any year – January, March, May, July, September and November. These will normally be held on the third Monday of the month.

Public notices will be posted 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.

- 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. The public may record and transmit electronically the proceedings of a meeting of the Parish Council and of any of its committees. No recording may be made of the public who are in attendance at the meeting- place immediately prior to or following the meeting without the Parish Council's prior consent.
- 3.6. An opportunity for public questions will be available immediately before the commencement of each meeting. Questions raised shall not require a response or debate although it may be possible for such queries to be listed as an agenda item for the next meeting. A record will be kept of any public participation session held before the meeting.
- 3.8 The agenda for the meeting will be agreed by the Clerk, Chair and Vice Chair as appropriate. The agenda will always include an item to enable Councillors to declare interests.

The Order of Business will be as follows –

- Apologies for absence
- Declaration of interest
- Minutes of last meeting
- County Councillors Report
- Matters arising
- Accounts to pay/paid
- Budget
- Planning applications
- Village environment and action plan update
- Committee Reports
- Correspondence
- Any other business as considered urgent by the Chair
- Confirm date of the next meeting

- 3.9 The Council may only take decisions on items clearly specified on the agenda. Any other business will be an item on the agenda and should only be used for suggestions to be considered for inclusion on the next agenda. It will also be used to inform the meeting of village information.
- 3.10 The Chair of the Council will preside over the meeting and will be responsible for the conduct of that meeting. If the Chair is not present, then the Vice Chair 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 Chair for the meeting.
- 3.11 The quorum for the Council will be one third of the total Councillor places but in any case, not fewer than 3. If there are insufficient members present, then no business will be transacted, and a fresh notice will be issued to reconvene the meeting at a later date.
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.
- 3.12 Voting at the meeting shall be by a show of hands unless a majority of Councilors wants a ballot. Only the proposer and seconder will be recorded.

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.

- 3.13 In cases of equal votes, the Chair (or other person presiding) will have a second or casting vote.
- 3.14 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 Parish 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 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.
- 3.15 Notice of Planning Applications will be via email, or on occasions a hard copy of the plans will be circulated amongst the Councillors. Applications will be discussed as an item on the agenda except on those occasions when comments need to be submitted prior to a meeting to enable them to be received on time.

4. Extraordinary Meetings

- 4.1 An extraordinary meeting may be called by the Chair at any time. Any two or more members may request the Chair, in writing, to call one. If he or she refuses or fails to do so within 7 days, then an extraordinary meeting can be convened by any two members. At least 3 days' notice of the date and time of meeting and the business to be transacted, must be left, or sent to the usual place of residence of every member of the Council. The Chair if present will preside; if not, the Vice Chair. If both are absent, those present shall elect a member to preside. A Quorum consists of one third of the members but not less than 3. If it is requested by any member, the names of those voting for or against a motion shall be recorded.

5. Emergency Business

- 5.1. 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 Chair. The scope of the delegated authority should be minuted and periodically reviewed. Actions will be reported promptly to the Parish Council.

6. Disorderly Conduct at Meetings

- 6.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this Standing Order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- 6.2 If any person(s), having been requested by the Chair of the meeting to moderate or improve their conduct, fails to comply with the request, the Chair of the meeting may move that the person be no longer heard, or excluded from the meeting. The motion, if seconded, shall be out to the vote without discussion.
- 6.3 If a resolution made under Standing Order 6.2 above is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting and may include temporarily suspending or closing the meeting.

7. Finance

7.1. Responsible Finance Office (RFO)

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

7.2. Estimates and Precept

- 7.2.1. The Parish Council will review the budget not later than November (or December in the event a meeting being held that month) in preparation for the Precept being agreed and submitted to the Billing Authority no later than the end of January.

7.3. Income and Expenditure

- 7.3.1. The Clerk will supply regular updates of income and expenditure throughout the year and detail actual figures against estimate. Significant underspends or overspends will be brought to the attention of the Parish Council and action taken to address any discrepancies. Underspent revenue will be identified and earmarked to reserves by a Parish Council resolution.
- 7.3.2. Expenses for travelling to meetings (45p per mile), and other relevant expenses for the carrying out of the role of a Parish Councillor may be claimed on completion of an expense form available from the Clerk.

7.4. Accounting and Audit

- 7.4.1. The Clerk will determine all accounting procedures and financial records of the Parish Council in accordance with the Accounts and Audit Regulations.
- 7.4.2. The Clerk will complete the annual financial statements of the Parish Council including the annual return as soon as practicable after the end of the financial year and will submit and report on them for approval by the Parish Council. The Parish Council will review them each year and ensure that there is an adequate, effective system of internal audit of the Parish Council's accounting, financial and other procedures in line with Proper Practice.
- 7.4.3. An Internal Auditor will be appointed by the Parish 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 Parish Council.
- 7.4.4. The Parish Council will approve exempt authority status if appropriate on an annual basis. If not applicable, the Clerk will submit the Annual Return to the External Auditor by the due date, ensuring the return is complete.

7.5. Banking Arrangements and Cheques

- 7.5.1. The Parish Council's banking arrangements, including the Bank Mandate, will be made by the Clerk, and approved by the Parish Council. They will be regularly reviewed for efficiency.
- 7.5.2. A resolution of the Parish Council will nominate at least three members to be authorised by the Parish Council to sign cheques. The Clerk will be a signatory in name only, to ensure correspondence is correctly directed to him/her.
- 7.5.3. All items of expenditure will be authorised by the Parish Council and the payments approved. The Clerk will examine invoices and verify and certify the expenditure. Cheques will be completed for all transactions and signed by two authorised Councillors.

7.5.4. Any utility bill may be paid by Direct Debit, provided that the instructions are signed by two authorised Councillors and reviewed at least every year.

7.5.5. The Parish Council also operates 'electronic banking' arrangements, appropriate standing orders and financial regulations are adopted, to conform with Proper Practices.

7.6. Loans and Investments

7.6.1. All loans and investments will be negotiated in the name of the Parish Council and will be set for a period approved by the Parish Council.

7.6.2. All borrowings will be in the name of the Parish Council and will not be entered into until necessary approvals have been given. Any application will be approved by Parish Council, especially the terms and purpose. These terms must be reviewed annually.

7.6.3. All investments of money under the control of the Parish Council will be in the name of the Parish Council and all certificates or other documents will be retained by the Clerk.

7.7. Contracts and Purchase Orders

7.7.1. An official order or letter will be issued for all work or services paid for by the Council. 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.

7.7.2. Orders for less than £500 only require one quotation which will be discussed and authorised by the Parish Council before proceeding.

Orders for values from £500 to £2000 require a minimum of two quotations; for values above £2000 three quotations are required. Contracts exceeding £50,000 requires additional safeguards and will follow Proper Practice.

7.7.3. All orders and contracts which require quotations will be approved by the Council. While the Parish Council is not obliged to accept the lowest quotation the reasons for accepting the quotation will be recorded.

7.8. Assets

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

7.9. VAT

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

8. Insurance

8.1. Following the annual risk assessment, the Parish Council will review the level of insurance cover and ensure it is adequate and appropriate for the activities of the Parish Council. Minimum cover will include Public Liability, Employers Liability, Money and Fidelity Guarantee.

9. Risk Assessment

9.1. A risk assessment will be undertaken annually of all the activities of the Parish Council and a report approved by the Parish 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 Parish Council meeting.

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

10. Freedom of Information

- 10.1. The Parish Council is subject to the Freedom of Information Act and has adopted the Model Publication Scheme for Parish Councils. The Clerk will ensure the Parish Council conforms to the requirements of the Act allowing public access to the appropriate documents. As a Parish Council, we do not have to make available or publish letters from the Public or responses to them. The Parish Council will periodically review the procedure and scheme.

11. Clerk to the Parish Council

- 11.1. The Parish Council may appoint a number of employees to assist it in the performance of its duties. The Parish Council will appoint a Clerk to the Parish Council which will be on an employed basis, unless the Clerk is a member of the Parish Council, acting in an unpaid capacity.
- 11.2. The Clerk will act as the Proper Officer of the Parish Council, and he/she will: receive the Declarations of Acceptance of Office and notices disclosing interests; sign documents on behalf of the Parish Council and issue summons agendas and notices of meetings; receive and distribute plans and documents on behalf of the Parish Council; and also advise the bank of changes to mandates with the bank.
- 11.3. The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer or other employees of the Parish Council.
- 11.4. As an employee of the Parish 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 Chair or designated Councillor acting with the authority of the Council. The Parish Council must also have a Discipline and Grievance procedure in place.

12. Committees and task-and-finish groups

- 12.1. The Parish Council from time to time may set up committees and task-and-finish groups to undertake work on behalf of the Parish Council. They will report periodically to the Parish Council.
- 12.2. A Village Tour will be held once a year and an Action Plan will be put in place. This will be a working document revised on a regular basis showing progress made with issues raised.

13. Alteration or Reversal of previous decisions

- 13.1. Decisions of the Parish 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 Parish Council.

14. Standing Orders

- 14.1. These and any other Standing Orders will be reviewed annually, and any amendments agreed by the Parish Council.
- 14.2. During the course of meetings of the Parish Council, the Chair's decision as to the interpretation of the Standing Orders will be final. In cases of doubt, the Parish Council will seek the advice of the Northumberland Association of Local Councils.
- 14.3. The Parish Council may resolve to suspend a Standing Order in order to progress the business of the Parish Council, and such a decision will be included in the minutes. The suspension will not be taken lightly, and it will be time limited.

15. Complaints

- 15.1 Any complaint from the public regarding the conduct of Parish Councillors, or of decisions made by the Parish Council, must be directed to the Clerk and Individual Parish Councillors should not respond. Should a complaint be verbal, the Clerk will advise the complainant that only written complaints will be dealt with. Anonymous complaints will also not be considered by the Parish Council. The Clerk will liaise with the Chair and/or the Vice Chair who together will decide how best to handle the complaint. Confidentiality will be an important matter to be considered. If the complaint is of a relatively routine matter, the Clerk will inform all Parish Councillors of the complaint and proposed response and ask for any comments. Should a more serious complaint be received, it may be appropriate to review matters at a meeting of the Parish Council invoking the option allowed under clause 3.4 of these standing orders. In any event, the Clerk should keep the complainant advised of the status of the complaint.

These Standing Orders were adopted by Bywell Parish Council at a meeting of the Parish Council held on the 20th day of May 2024.