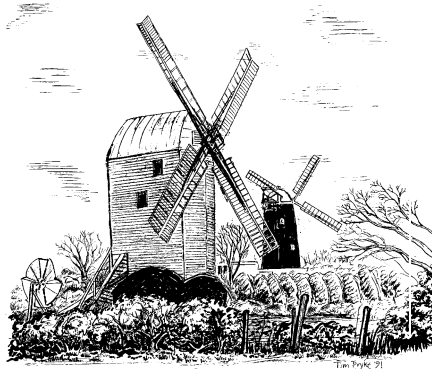


Hassocks Parish Council



Standing Orders

September 2017

INTRODUCTION

This document constitutes the Standing Orders adopted by the Hassocks Parish Council for the purpose of propriety in conducting Council business. It incorporates various requirements, such as those to be observed under the Code of Conduct.

Some of the Standing Orders are compulsory as they are laid down in Acts of Parliament. These are printed in **bold type**. These Standing Orders cannot be altered. In this respect if the words "Local Councils" are used, it means Parish and Town Councils in England and Community and Town Councils in Wales.

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Meetings

1. (a) Meetings of the Council shall be held in each year on such dates and times as agreed by Council and held at the Parish Centre Hassocks.
- (b) Smoking is not permitted at any meeting of the Council.
- (c) Audio and/or video recording or any other means of enabling persons not present to see or hear proceedings of meetings as it takes place or later report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting is permitted. Members of the public who intend to use audio/video recording at any meeting should first inform Council before doing so.
- (d) Mobile phones and other electronic communication devices must be switched off, or on vibrate only, during all Council Meetings so as not to disturb proceedings unless agreed otherwise in advance with the Chair of the meeting.

The Statutory Annual Meeting

- 2 (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 and**
- (b) **In a year which is not an election year the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.**
3. **In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.**

Chair of the Meeting

- 4 **The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.**

Proper Officer

- 5 Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he/she shall be the Clerk or nominated officer: -

To receive declarations of acceptance of office.

To receive and record notices disclosing interests at meetings.

To receive and retain plans and documents.

To sign notices or other documents on behalf of the Council.

To receive copies of bylaws made by another local authority.

To certify copies of bylaws made by the Council.

To sign and issue the summons to attend meetings of the Council.

To keep proper records for all Council meetings.

Quorum of the Council

- 6 One third of the total membership of the Council or one third of the membership of a Committee, shall constitute a quorum at meetings and in no case, shall the quorum of a meeting be less than 3 (three) Members.**
- 7** If a quorum is not present or if during a 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 business not transacted shall be transacted at the next meeting or on such other day as the Chair may fix.

Voting

- 8** Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- 9** **If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**
- 10** **(1) Subject to (2) and (3) below the Chair 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.**
- (2) If the person presiding at the annual meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chair and Vice-Chair until the end of their term of office he/she may not give an original vote in an election for Chair.**
- (3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.**

Order of Business

- 11 At each Annual Parish Council Meeting the first business shall be:-**
- a) To elect a Chair of the Council**

- b) **To receive the Chair's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- c) **In the ordinary 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 which have not been received as provided by law shall be received.**
- e) To elect a Vice-Chair of the Council.
- f) To appoint committees and sub-committees.
- g) To appoint representatives to outside bodies.

and shall thereafter follow the order set out in the Standing Order 14

- 12 **At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.**
- 13 In every year, not later than the meeting at which the budget for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order 34 must be read in conjunction with this requirement.
- 14 After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-
 - (a) To read and consider the Minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - (b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
 - (c) To deal with business expressly required by statute to be done.**
 - (d) To dispose of business, if any, remaining from the last meeting.
 - (e) To receive such communications as the person presiding may wish to lay before the Council.
 - (f) To receive and consider reports and minutes of committees.
 - (g) To receive and consider resolutions or recommendations in the order in which they have been notified.

- (h) To authorise the sealing of documents.
- (i) If necessary, to authorise the signing of orders for payment.

Urgent Business

- 15** A motion to vary the order of business on the ground of urgency:
- a) May be proposed by the Chair or by any member and, if proposed by the Chair, may be put to the vote without being seconded, and
 - b) Shall be put to the vote without discussion.

Resolutions Moved On Notice

- 16** Except as provided by these Standing Orders, no resolution may be moved on notice unless the business to which it relates has been put on the Agenda by the Clerk 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 next meeting of the Council.
- 17** The Clerk shall date every notice of resolution or recommendation when received by him and shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.
- 18** The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he/she intends to move at some later meeting or that he/she withdraws it.
- 19** If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 20** If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chair, if he/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 21** Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

Resolutions Moved Without Notice

22 Resolutions dealing with the following matters may be moved without notice:-

- (a) To appoint a Chair of the meeting.
- (b) To correct the Minutes.
- (c) To approve the Minutes.
- (d) To alter the order of business.
- (e) To proceed to the next business.
- (f) To close or adjourn the debate.
- (g) To refer a matter to a committee.
- (h) To appoint a committee or any members thereof.
- (i) To adopt a report.
- (j) To authorise the sealing of documents.
- (k) To amend a motion.
- (l) To give leave to withdraw a resolution or amendment.
- (m) To extend the time limit for speeches.
- (n) To exclude the press and public. (see Order 68 below)
- (o) To silence or eject from the meeting a member named for misconduct.
(see order 29 below)
- (p) To give the consent of the Council where such consent is required by these Standing Orders.
- (q) To suspend any Standing Order (see Order 78 below) except those that are mandatory by law.
- (r) To adjourn the meeting.

Questions

23 No questions not connected with business under discussion shall be asked.

- 24** No discussion of the Minutes shall take place except upon their accuracy. An item for discussion on matters arising from previous Minutes will be placed on every agenda for information to be requested by Members on specific items in the Minutes. There shall be no further debate on matters in the Minutes and corrections to the draft Minutes shall be made by resolution. All agreed Minutes will be signed by the Chair.

Rules of Debate

- 25**
- 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 a motion. It shall not negate the motion.
 - f If an amendment to the original motion is carried, the original motion 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 25 (k) 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 order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed (10) minutes without the consent of the chairman of the meeting.

Disorderly conduct at meetings

- 26** A member shall remain seated when speaking unless requested to stand by the Chair.
- 27** (a) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the Chair. If two or more members wish to speak, the Chair shall decide who to call upon. Members wishing to raise a matter or contribute to any debate should signal those intentions by the raising of a hand. The Vice Chair or other person nominated at the meeting shall acknowledge the gesture and record that Members name. The Chair shall endeavour to invite Members to speak in the order of record.'
- (c) Whenever the Chair speaks during a debate all other members shall be silent.

Closure

- 28** At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded, the Chair shall put the motion but, in the case of a motion "that the question be now put", only if he/she is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he/she shall call upon the mover to exercise or waive his/her right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

Disorderly Conduct

- 29** (a) **All members must observe the Code of Conduct which was adopted by the Council on 14th April 2015 (Minute 15/29 refers).**
- (b) No member shall at a meeting persistently disregard the ruling of the Chair, 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 Chair, a member has broken the provisions of paragraph (b) of this Order, the Chair shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. **If a member**

reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Monitoring Officer.

(d) If either of the motions mentioned in paragraph (c) is disobeyed, the Chair may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

Right of Reply

- 30** The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

Alteration of Resolution

- 31** A member may, with the consent of his/her seconder, move amendments to his/her own resolution.

Rescission of Previous Resolution

- 32** (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least two thirds of the members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.

(b) When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

Voting On Appointments

- 33** Where more than two persons 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 is given in favour of one person.

Discussions and Resolutions Affecting Employees of the Council

- 34** 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 or committee (as the case may be) has decided whether or not the press and public shall be excluded. (See Standing Order No. 68.)

Resolutions on Expenditure

- 35** Any resolution (which is moved otherwise than in pursuance of a recommendation of the Policy, Resources and Communications Committee or of another committee after recommendation by the Policy, Resources and Communications Committee) and which, if carried, would, in the opinion of the Chair, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Policy, Resources and Communications Committee shall report on the financial aspect of the matters).

Expenditure

- 36** Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations, which shall be reviewed once a year no later than the end of each financial year in March.

Sealing of Documents

- 37** (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- (b) Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this Order may seal, on behalf of the Council, any document required by law to be issued under seal.

Committees and Sub Committees

- 38** The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:-
- (a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
- (b) May appoint persons other than members of the Council to assist in any working party or any committee; and
- (c) May, subject to the provisions of Standing Order 35 above, at any time dissolve or alter the membership of committee.
- 39** The Chair and Vice-Chair, ex-officio, shall be voting members of every committee.
- 40** Every committee shall at its first meeting before proceeding to any other business, elect a Chair and may elect a Vice-Chair, subject to their agreement, who shall hold office until the next Annual Meeting of the Council,

(unless disqualified from Council) and shall settle its programme of meetings for the year.

Special Meeting

41 (a) The Chair of a committee or the Chair of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

(b) The Chair of a committee may cancel a meeting if there is no, or insufficient, business providing that 7 days notice are given to the Clerk, who will then notify all members accordingly.

Sub-Committees

42 Every committee may appoint sub-committees or working parties for purposes to be specified by the committee.

43 The Chair and Vice-Chair of the committee shall be members of every sub-committee or working party appointed by it unless they signify that they do not wish to serve.

44 Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee or working party, the quorum of a committee or sub-committee or working party shall be one half of its members or a minimum of 3.

45 The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and on interests of members in contracts and other matters shall apply to committee and sub-committee and working party meetings.

46 Any member of a committee may resign his/her seat on the committee by giving notice in writing signed by him/her, and sent to the Clerk, who shall then inform the Chair of that committee.

47 Any member who shall be absent from all meetings of the Council or its committees for more than six consecutive calendar months from the date of the last meeting (except in the case of serious illness) shall cease to be a member of the Council or that committee.

48 Any Member can substitute for any other Member of the Council, with their consent, on the committee or sub-committee in question without notice and shall have the same voting rights as the member being substituted for.

Programme Committees Responsibilities

49 The Council has delegated its work as follows:

(a) Full Council

- The Policy & Decision Making Body of the Council.

(b) Grounds and Environment Committee

Maintenance, management & improvements of:-

- Sports Pitches & Pavilions & the booking of events and sports functions
- Burial Ground
- Playgrounds
- Play Equipment
- Allotments
- Council Car Parks
- Council Works Garage, Tractor and machinery
- Street Furniture
- Memorial Garden
- Environmental and Community issues.
- Footpaths
- Parklands Copse
- Talbot Fields

(c) Policy, Resources and Communications Committee

- Payment of Accounts
- Financial Audits
- Budget Collation
- Communications
- Personnel & Human Resource Issues
- Budget Planning/Annual Budgets including recommendations on setting of the Precept and other Fees & Charges
- Capital Projects & Spend
- All Licences/Leases & Agreements
- Youth Issues
- Grants

(d) Planning Committee

- All Planning Applications
- Highways Matters & Issues
- Public Transport

Advisory committees and working groups

- 50** (a) The Council may create advisory committees and working groups, whose name and number of members and its terms of reference and the bodies to be invited shall be specified.
- (b) The Clerk shall inform the members of each advisory committee or working group of their terms of reference as laid down by Council.
- (c) An advisory committee or working group may make recommendations and give notice thereof to its parent committee or Council as required and specified in its terms of reference.

Voting in committees

- 51** Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot. Persons co-opted onto Committees are not entitled to vote.
- 52** **Chairpersons of committees and sub-committees and working parties shall in the case of an equality of votes have a second or casting vote.**

Presence of non-members of committees at committee meetings

- 53** A member who has proposed a resolution, which has been referred to any committee of which he/she is not a member, may explain his/her resolution to the committee but shall not vote.

Accounts and Financial Statement

- 54** (a) Except as provided in sub-paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council and duly minuted.
- (b) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer for payment with the approval of the Chair or Vice-Chair of the Council.
- (c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments before the Council.
- 55** The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of September.

Estimates / Precepts

- 56** (a) The Council shall approve its financial budget for the coming financial year at its meeting before the end of the month of January in each year.
- (b) Each committee shall formulate and submit proposals to the Policy, Resources and Communications Committee in respect of revenue services and capital projects for consideration for inclusion in the next annual budget not later than 30th November in each year
- (c) Detailed estimates of income and expenditure on revenue services and receipts and payments on the capital account, shall be prepared each year by the Responsible Financial Officer not later than 30th November in each year.
- 57** The Policy, Resources and Communications Committee shall review the estimates and submit them to Council not later than the end of December in each year.

Interests

- 58** **If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 14th April 2015 (Minute 15/29 refers) then he/she shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**

- 59** If a member who has declared a personal interest then considers the interest to be prejudicial, he/she must withdraw from the room or chamber during consideration of the item to which the interest relates.
- 60** The Clerk will compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.
- 61** If a candidate for any appointment under the Council is to his/her knowledge related to any member of or the holder of any office under the Council, he/she and the person to whom he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed, Standing Orders 58, 59 and 60 shall apply as appropriate.
- 62** The Clerk shall make known the purpose of Standing Order 61 to every candidate.

Canvassing of and recommendations by Members

- 63** (a) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this subparagraph of this Standing Order to every candidate.
- (b) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 64** Standing Order 63 shall apply to tenders as if the person making the tender were a candidate for an appointment.

Inspection of Documents

- 65** A member may for the purpose of his/her duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- 66** All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

Unauthorised Activities

- 67** No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:-
- a) Inspect any lands or premises which the Council has a right or duty to inspect; or
 - b) Issue orders, instructions or directions unless authorised to do so by the Council or the relevant committee or sub-committee.

Admission of the Public and Press to Meetings

- 68** **The public and press shall be admitted to all meetings of the Council and its committees** and sub-committees, **which may, however, temporarily exclude** the public and press by means of the following resolutions: -

“That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw”

The Council shall state and record the special reason for exclusion.

- 69** (a) At all meetings of the Council and its committees there will be a designated adjournment of the meeting of up to 15 minutes after agreeing the minutes from the previous meeting to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
- (b) At all other meetings the Chair of the meeting may at his/her discretion adjourn the meeting to allow any member of the public to address the meeting in relation to the business to be conducted at that meeting
- 70** (a) The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present.
- (b) Accredited representatives of television companies shall be permitted to film the proceedings at Council meetings except for that part of the meeting where the public are excluded pursuant to a resolution passed in accordance with Section 100A(2) or (4) of the Local Government Act 1972 as amended.
- 71** If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he/she be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

Confidential Business

- 72** (a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.

(b) Any member in breach of the provisions of paragraph (1) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

Liaison with County and District Councillors

73 (a) An Agenda for each meeting shall be sent, together with an invitation to attend, to the County, Borough, Unitary or District Councillor for the appropriate division or ward.

(b) Unless the Council otherwise orders, a copy of each letter or email ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the division or to the District Councillors for the wards as the case may require.

Planning Applications

74 (1) The Clerk shall, as soon as it is received, enter in a book or file kept for the purpose the following particulars of every planning application notified to the Council: -

- a) the Planning Authority's reference number
- b) the place to which it relates
- c) a summary of the nature of the application;

(2) The Clerk shall refer every planning application to the next Planning Committee meeting and shall notify the notifying Planning Authority of the Committee's decision within the prescribed period of consultation. In the event and for whatever reason the prescribed period of consultation cannot be met then the Clerk will contact the relevant Planning Authority and request an extension of the prescribed period.

Financial Matters

75 (1) The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer. The purpose of these Financial Regulations will be to set out the arrangements for governing the conduct of the financial transactions of the Council and to ensure compliance with accounting and legislative requirements.

(2) The regulations shall detail the arrangements for:

- (a) accounting records and systems of internal control;
- (b) assessment and management of risks faced by the Council;
- (c) work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
- (d) financial reporting requirements of members and local electors and;-
- (e) procurement policies.

The complete set of Financial Regulations are annexed to this document as Appendix A

Contracts

76 (a) Every contract made by the Council or by a committee, or officer acting on its behalf shall comply with any relevant Directives in force in the United Kingdom and, except as hereinafter provided, these Standing Orders. These Standing Orders apply only to contracts for the supply of goods or materials, or the execution of works and, in particular, shall not apply to contracts for services or of employment, nor to any contract for the sale or purchase of any right in or over land or premises nor to any other agreement, licence or wayleaves relating to land or premises.

(b) It shall be a condition of any contract between the Council and any person (not being an officer of the Council) who is required to supervise a contract on their behalf or nominate a sub-contractor or supplier that, in relation to such contract or nomination, he/she shall comply with the requirements of these Standing Orders as if he/she were an officer of the Council. In these Standing Orders, any reference to an officer of the Council shall be deemed to include a reference to any such person as aforesaid.

(c) Exemption from any of the following provisions of these Standing Orders may be made by direction of the Council or a committee within whose terms of reference the subject matter of the contract falls where the Council or committee is satisfied that the exemption is justified in special circumstances.

Exemptions

(d) Every exemption made by a committee to which the power of making contracts has been delegated shall be reported to the Council and the report shall specify the circumstances by which the exemption shall have been justified.

(e) Express note of any exemption from any of the provisions of these Standing Orders and of the emergency, if any, by which the exemption shall have been justified shall, unless recorded in the report of a committee which is laid before the Council, be made in the Minutes of the Council.

(f) Before any contract for the supply of goods and materials, execution of works, or any provision as to the maintenance or servicing thereof is made, the Clerk shall ensure that the estimated cost of said supply or works has been included in the annual budget of the Council under the appropriate heading.

(g) Any proposed contract for the supply of goods and materials, execution of works or any provision as to the maintenance or servicing thereof which has not been included in the annual budget shall be the subject of a separate report to the appropriate committee or the Council. If approved, normal tender procedures will apply.

Code of Conduct on Complaints

- 77 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as the Council thinks fit except for those complaints which should be properly directed to the Monitoring Officer for consideration.

Variation, Revocation and Suspension of Standing Orders

- 78 Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.
- 79 A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

Training

- 80 (a). All Members appointed have a responsibility to the Council to undertake appropriate training courses if required to do so by Council.
- (b). All Chairmen shall have a responsibility and be expected to undertake appropriate training courses.

Equalities

- 81 (a) The Council is committed to providing equality of opportunity in all its activities and to ensure that discrimination in any form does not occur.

The Council will ensure that all policies and procedures meet with both the letter and spirit of the following laws:

- The Equality Act 2010
- Human Rights Act 1998

(b) The Council will not treat a person less favourably on the grounds of:

- Sex (gender)
- Race, colour, ethnic or national origin
- Marital status
- Disability
- Religion or belief
- Sexual orientation
- Age

Standing Orders to be given to Members

- 82** A copy of these current Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council or at any other time that may be appropriate.

Revocation of Previous Standing Orders

- 83** The previous Standing Orders previously adopted by the Council are hereby revoked
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The current Council's Standing Orders were adopted by Council at its meeting on 14th September 2010 (Minute 10/116 refer) and were signed by the Chair of the Council at that time.

*These Standing Orders were reviewed, amended and adopted by the Parish Council at its meeting on 12th September 2017 (**Minute PC17/81.8**)*

Financial Regulations (FR)

Contents

Regulation No.	Subject	Regulation No.	Subject
1	Financial Administration	9	Petty cash float
2	Financial Planning and Annual estimates	10	Legal documents
3	Budgetary control	11	Insurances
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5	Banking arrangements	13	Procurement of goods and services
6	Signing of cheques	14	Corrupt practices
7	Ordering procedures	15	Revision of Financial Regulations
8	Payment procedures		Signatories

1 Financial Administration

- 1.1** The Clerk as the Responsible Financial Officer, under the direction of the Policy, Resources and Communications Committee, shall regulate and control the finances and accounts of the Council and supervise and co-ordinate financial and accounting methods.
- 1.2** The Clerk shall be responsible for the proper administration of the Council's financial affairs and the production of financial management information. The Clerk will be responsible for ensuring that the Council's internal audit is carried out by an independent, and relevantly qualified person, not associated with the Council, to the agreed Audit Plan and at least once a year and subject to the Council's confirmation of the nomination of Internal Auditor.

2 Financial Planning and Annual Estimates

- 2.1** The Clerk shall each year recommend to the Council a programme of estimates for consideration and the programme is to include adequate time for such discussions between the Policy, Resources and Communications Committee, other programme committees and Council (refer to SO 56 above).
- 2.2** Detailed estimates of income and expenditure on revenue accounts and expenditure of capital accounts, shall be prepared each year by the Clerk, who will examine and complete the estimates and submit them to the relevant committee(s) responsible for the services by the prescribed date (refer to SO 56 above).

2.3 The Policy, Resources and Communications Committee shall review the estimates and submit the same to the Council not later than December in each year, together with such summaries, statements and reports as are considered desirable in order to enable Council to determine the precept to be levied for the ensuing year. These statements should also include a review of pay and conditions of service for existing employees (refer to SO 56 above).

3 Budgetary Control

3.1 The agreed revenue and capital budget will drive the Clerk's office's planned work programme and levels of cash flows required for solvency purposes for the next fiscal year. Major variations to agreed budgets will therefore be resisted by Council unless due regard and consideration is given to the resource implications that such variations would likely have on the Clerk's office.

3.2 Expenditure on the revenue account may be incurred up to the amounts included in the approved budget, subject to the requirements of Standing Orders.

3.3 Expenditure may not be incurred which cannot be met from the amount provided within the total net cost centre budget or when circumstances arise where there is likely to be budget overspend in total in the year, unless a request for a supplementary estimate has been submitted to and agreed by the Policy, Resources and Communications Committee.

3.4 Except as provided in Standing Orders, all proposals involving expenditure on the capital account shall be the subject of an annual report to the appropriate committee which shall include the full financial implications of the proposals.

3.5 The Policy, Resources and Communications Committee shall carry out a review of the expenditure and income of the Council at the same time as it undertakes its evaluation of the following year's budgetary requirements (refer to SO 56 above).

3.6 The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £750. The Clerk shall report such action to the Chairman of the relevant committee as soon as possible and to the Council as soon as practicable thereafter

4 Income

4.1 The collection of all sums due to the Council shall be under the supervision of the Clerk, who shall ensure adequate arrangements for prompt and proper accounting for all cash, including its collection, custody, control and deposit are maintained.

4.2 The Clerk will have discretion to agree re-imbursments in income to a maximum of £50 per incident in order to appease dissatisfied clients for

whatever reasons. All reductions ratified under this clause will be reported to the Policy, Resources and Communications Committee detailing the circumstances and reasons for any decision. Any claims for re-imbursments above £50 will be referred to the Policy, Resources and Communications Committee for consideration and approval.

- 4.3 The Council will agree the scale of fees and charges for each service on, at least, an annual basis following a report of the Clerk (timings to be in accordance with SO 56 above).
- 4.4 Personal cheques shall in no circumstances be cashed out of money held on behalf of the Council.
- 4.5 Every transfer of official money from one member of staff to another shall be signed for by the receiving officer.

5 Banking Arrangements

- 5.1 All arrangements with the Council's Bankers shall be made by the Clerk and approved by the Policy, Resources and Communications Committee. The Clerk shall be authorised to operate such banking accounts as considered proprietary and necessary.
- 5.2 All schedules approving payment of cheques or electronic transactions shall be presented to a meeting of the Council for authorisation by resolution and all cheques signed by the Clerk and two members.
- 5.3 Where it is necessary to make a payment before it has been authorised by Council, such payment shall be certified as to its correctness and urgency by the Clerk with the approval of the Chair or Vice-Chair of the Council. Such payment shall be authorised in retrospect by the committee having charge of the business to which it relates, or the Policy, Resources and Communications Committee as the case may be.
- 5.4 All payments ratified under 5.3 shall be highlighted in the next schedule of payments before the Council.

6 Signing of Cheques

- 6.1 Cheques will be signed by two authorised persons. The Council's bank will be advised of the designated signatories and specimen signatures held by them.

All cheque stubs shall be initialled by cheque signatories.

- 6.2 A pool of at least 4 (four) signatories will form the authorised list of signatories for the accounts and are attached to these Financial Regulations.

7 Ordering Procedures

- 7.1 Official Purchase Orders shall be issued for all work, goods or services to be supplied to the Council and such orders should be signed by the Clerk or other duly authorised officer and should specify any cost which has been agreed.
- 7.2 Each order raised shall conform to the directives in Standing Orders

8. Payment Procedures

- 8.1 Apart from petty cash payments, the normal method of payment of money due from the Council shall be by cheque or other electronic means drawn on the Council's Bankers.
- 8.2 All invoices for payment including Direct Debits shall be examined, verified and certified by the Clerk. Before certifying an invoice the Clerk shall satisfy themselves that the work, goods or services to which the invoice relates have been received, carried out, examined and approved. The invoice should then be checked for arithmetical accuracy and coded to the appropriate expenditure head and code. The Clerk shall take all reasonable steps to settle all invoices submitted, and which are in order, within 30 days of their receipt.
- 8.3 Unless as otherwise agreed by Council, payments for any goods/services supplied to the council will not be paid for in advance of the receipt of said goods and/or services.
- 8.4 The payment of all salaries, wages and other emoluments shall be made in accordance with the instruction of the Clerk, concerning national pay awards and other information likely to have a bearing on individual members of staff conditions of service.
- 8.5 The payments of salary and wages information including information of superannuation, income tax, national insurance and the like should be fully maintained and updated in accordance with instruction of the Clerk.

9. Petty Cash Float

- 9.1 The Clerk may maintain such petty cash float as is deemed necessary for operational purposes up to a maximum of £100 and provide petty cash to officers for the purpose of defraying operational and other expenses or miscellaneous items of an urgent nature. Such petty cash accounts to be maintained on the impress system in the manner and form prescribed by the Clerk and be reported monthly to the Policy, Resources and Communications Committee.
- 9.2 Vouchers and receipts for payments made from this account shall be kept in accordance with instructions laid down from time to time by the Clerk.

- 9.3** Income due and/or received must not be paid into the petty cash account but must be separately banked in accordance with the procedures in accordance with these regulations.

10. Legal Documents

- 10.1** The Clerk shall have the custody of all Title Deeds of properties owned by the Council and shall ensure a record is maintained of all such properties and that all such documents are securely kept and maintained and deposited at a suitable location.

11. Insurances

- 11.1** The Clerk will maintain adequate insurance cover and negotiate all claims.
- 11.2** All members of staff with line responsibility are responsible for notifying the Clerk of all new risks which require to be insured and of any alterations affecting existing risks or insurances
- 11.3** A comprehensive record of all insurance's effected by the Council and the property and risks covered thereby shall be maintained and reviewed annually.
- 11.4** All members of staff are responsible for immediately notifying the Clerk in writing, of any loss, theft, liability or damage, or of any event likely to lead to a claim.

12 Investments, Borrowings and Trust Funds

- 12.1** All investments of money under the control of the Council shall be in the name of the Council and made under arrangements approved by the Policy, Resources and Communications Committee.
- 12.2** All borrowings shall be effected in the name of the Council and be subject to consideration by the Policy, Resources and Communications Committee and approval by Full Council.

13 Procurement of Goods and Services

- 13.1** Where the estimated cost of works, goods and materials and related services is as set out below and the requisite provision thereof has been made in the approved budget, the arrangements for any required invitation of tenders or quotation and the subsequent acceptance thereof shall be as shown.

Estimated Value	Method of Invitation	Acceptance on behalf of Council by
Up to £5,500	Discretionary	Clerk/RFO
£5,500 to £16,000	Minimum of three invitations for quotations	Clerk/RFO and Chair of either Council or appropriate committee or nominee
£16,000 to £32,000	Minimum of four invitations for quotations	Clerk/RFO and Chair of Council or nominee
£32,000 to £80,500	Minimum of five invitations for tenders (with discretion to invite tenders by public advertisement up to £80,500)	Clerk/RFO and Chair of Council or nominee
£80,500 to £140,000	Minimum of five invitation for tenders by public advertisement	Council
Above £140,000	EU procurement rules to apply until 'officially' leaving European Union	Council

In all cases up to £16,000 where the lowest tender received is in excess of 5% above the original estimate, or in cases over £16,000 where it is in excess of the original estimate, it shall be reported to the appropriate committee for acceptance or otherwise.

13.2 Tenders to be invited by public advertisement

Contracts which exceed £80,500 in valuation or amount for the supply of goods or materials or the execution of any work for which provision has been made in annual budget shall not be made unless at least ten days public notice has been given in one or more of the local newspapers circulating in the district. Provided that it shall not be obligatory for the Council or any committee or sub-committee exercising powers delegated by the Council to invite tenders for a contract or materials where effective competition is prevented by Government control or where the Clerk reports in writing to the Council or to the committee or sub-committee exercising such powers that effective competition is prevented by the special nature of the goods or materials required. Nor shall it be necessary to give public notice of the intention to enter into such a contract.

13.3 Exceptions to procedures

Normal purchasing procedures shall not apply to:-

- (i) Purchase by auction;
- (ii) Purchase or repair of patented or proprietary goods or materials sold at fixed price;
- (iii) Purchase of materials normally supplied by specialist contractors;
- (iv) The execution of work, the purchase of goods or materials or the provision of services involving special, scientific or artistic knowledge;
- (v) The execution of work or the purchase of goods or materials which are a matter of urgency after prior reference to the appropriate committee Chair;
- (vi) The purchase of goods or materials which the Clerk may from time to time deem it expedient to make in the open market provided that before making any such purchase the approval of the Chair of the appropriate committee concerned is obtained and finance is available in the appropriate budget;
- (vii) Contracts with professional persons or companies for the execution of work and for advice in which the personal skills of the person or company is of primary importance;
- (viii) Those contracts where a committee may expressly determine that it is in the Council's interest that a tender be negotiated directly with a contractor or supplier of goods or services.

13.4 Requirements for submission of tenders

Where, in pursuance of Standing Order 76, public invitation to tender is required, every notice of such invitation shall state that no tender will be received except in a plain, sealed envelope which shall bear the word 'Tender' followed by the subject to which it relates, but shall not bear any name or mark indication the sender and such envelopes shall remain in the custody of the Clerk until the time appointed for their opening.

13.5 Declarations as to conduct of Tenderer

In connection with the submission of tenders for the execution of works or supply of goods and materials, declaration shall be obtained from each tenderer in the following form and wording:

"we declare that we are not parties to any scheme or arrangement under which;

- (i) we communicate the amount of our tender to any other person or body before the contract is let.
- (ii) any other tenderer for the works, which are the subject of our tender, is reimbursed any part of his/her tendering costs.
- (iii) our tender prices are adjusted by reference directly or indirectly to the prices of any other tenderer for the works.

No provision is made in our tender price for any reimbursement or any adjustment to any submitted costs thereto."

13.6 Procedure for opening tenders

Tenders received before the closing date specified shall be stored securely and at an allotted time opened by the Clerk or an official of the Council designated in the presence of such Member or Members of the Council as may have been designated for the purpose by the Council or by the committee. Where tenders have been opened in pursuance of this paragraph they shall be recorded and reported to the next meeting of the appropriate committee.

13.7 Limitations of acceptance of tenders

A tender, other than the lowest tender if payment is to be made by the Council or the highest tender if payment is to be received by the Council, shall not be accepted until the Council shall have considered a written report from the appropriate Officer.

The Council is not obliged to accept the lowest or any tender received.

13.8 Contracts for supplies, services and works

Every contract which exceeds £80,500 in value or amount shall be in writing and in a form prescribed or approved by the Council and signed by the Clerk on behalf of the Council.

Until such time as the United Kingdom 'officially' leaves the European Union, every contract which exceeds the EU limit for contracts shall be advertised and let in accordance with the current EU procurement rules that apply at the time.

13.9 Every contract for which provision has been made in the approved annual estimates and/or approved by the appropriate committee of the Council pursuant to Standing Orders and being in value of an amount less than £80,500 shall be entered into on behalf of the Council by the Clerk or authorised officer by the issuing of an official order only.

13.10 Contents of written contracts and penalties

Every written contract shall specify:-

- (i) the work, materials, matters or things to be furnished had or done;
- (ii) the price to be paid with a statement of discounts or other deductions;
- (iii) the time or times within which the contract is to be performed;
- (iv) whether the contractor is accredited to ISO 9000 and approved by and will carry out work to the standard laid down by an appropriate national

organisation such as the Gas Safety Register (GSR) or National Inspection Council of Electrical Installation Contractors (NICEIC) and that such work will be covered by guarantees issued by these bodies.

14 Corrupt Practices

14.1 There shall be inserted in every written contract a clause empowering the Council to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation if the contractor shall have offered or given or agreed to give any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to the favour or disfavour to any person in relation to the contract or any other contract with the Council, or if without the knowledge of the contractor or if in relation to any contract with the Council the contractor or any person employed by him/her or acting on his/her behalf shall have committed any offence under the Prevention of Corruption Acts 1889-1916, or shall have given any fee or reward the receipt of which is an offence under section 117(2) of the Local Government Act 1972.

15 Revision of Financial Regulations

15.1 It shall be the duty of the Policy, Resources and Communications Committee to review the Financial Regulations of the Council from time to time and, after consultation with any other committees concerned, to make such recommendations to the Council.

*These Financial Regulations (Standing Order 75) were reviewed, amended and adopted by the Parish Council at its meeting on 12th September 2017 (**Minute PC17/81.8**).*

<i>Date Reviewed</i>	<i>Amendment</i>
<i>Full Council 12/12/2017 (PC17/121.5)</i>	<i>Insert Financial Regulation 3.6</i>

Authorised signatories for Financial Regulations 6 purposes are:

Councillors:	Officers:-
Cllr Ian Weir Cllr Bill Hatton Cllr Leslie Campbell Cllr Peter Gibbons	