

# **Craster Parish Council Standing Orders**

## **February 2017**

### **1. Councillors**

- 1.1. Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Council, or of a Councillor who has been specifically designated by the Council for this purpose.
- 1.2. All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council's business.
- 1.3. The Code of Conduct adopted by the Council will define when a Councillor will declare a personal or prejudicial interest in an item for discussion at a Council meeting. The Councillor will declare that interest and the nature of the interest at the earliest opportunity.

### **2. Annual Meetings**

- 2.1. If the Annual Meeting is in an election year it must be held within 14 days after that election. If it is not an election year then the annual meeting will take place on an appropriate day in May.
- 2.2. If the outgoing Chairman is available then he/she will preside until a new Chairman has been elected. The first business of the Annual Meeting will be the election of the Chairman (and Vice Chairman, if appropriate) and to receive their acceptance of office.
- 2.3. The retiring Chairman will report on the activities of the Council for the preceding year.

### **3. Meetings**

- 3.1. Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol.
- 3.2. An agreed frequency of meetings will be decided at the Annual Meeting and Councillors will be advised of the meetings by the issue of a summons and agenda delivered by post or by hand. The summons and agenda may be delivered by email provided the Councillor has previously agreed to this. In any case the agenda must be issued, published on the internet and made available to the public at least three clear business days before the meeting.
- 3.3. Public notices will be posted in conspicuous places informing members of the public of the venue, time, and date of 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. Members of the public may speak at Council meetings at the discretion of the Chairman of the meeting.
- 3.6. The agenda for the meeting will be agreed by the Clerk, Chairman and Vice Chairman as appropriate. The agenda will always include an item to enable Councillors to declare interests. An opportunity for public questions will be made available immediately before the commencement of each meeting.

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- 3.7. The Council may only take decisions on items clearly specified on the agenda; if agreed by the chairman, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting.
- 3.8. The Chairman of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chairman is not present then the Vice Chairman will preside. If they are not present then the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chairman for the meeting.
- 3.9. The quorum for the Council will be one third of the total Councillor places but in any case not fewer than 3. If there be insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.
- 3.10. If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any further business carried forward to the meeting when next convened.
- 3.11. Voting at the meeting shall be by a show of hands unless a majority of Councillors wants a ballot. Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted. A Councillor may also request that the Clerk records how each Councillor has voted, including abstentions. Any request of this nature will be made before moving on to the next business.
- 3.12. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.
- 3.13. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes will record any decisions made by the Council. Draft minutes will be circulated to Councillors as soon as practicable, at the latest within three weeks after the meeting. Councillors will supply any suggested amendments after which 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.
- 3.14. An additional meeting of full council may be convened at any time by the Chairman of the council. In addition, if two councillors sign a requisition for a council meeting to be convened, and the Chairman either refuses or neglects to do so for seven days, then any two councillors (not necessarily those who signed the requisition) may convene a meeting. Subject to any standing orders made by the council, the Vice-Chairman has the same powers as the Chairman and can exercise these in the Chairman's absence.
- 3.15. The time and date of a scheduled council meeting may be changed or the meeting cancelled by vote of the council. In exceptional circumstances the time and date of a scheduled meeting may be changed by agreement of at least two of the Officers (see 10.2). If no Officers of the Council are available agreement of two other Councillors is required to change the time or date of a meeting. The Standing Orders in regard to notice of the meeting will still apply.

#### **4. Finance**

##### **4.1. Responsible Finance Office (RFO)**

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

#### **4.2. Estimates and Precept**

4.2.1. The RFO will compile estimates of income and expenditure annually for the Council's consideration. The Council will review the budget not later than the end of December in preparation for the precept being agreed, and submitted to the Collection Authority in January. During the year the budget will be reviewed against actual expenditure and income. Amendments to the budget will be discussed in Council and changes minuted.

#### **4.3. Income and Expenditure**

4.3.1. The RFO 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 Council and action taken to address any discrepancies. Underspent revenue will be identified and earmarked to reserves by a Council resolution.

#### **4.4. Accounting and Audit**

4.4.1. The RFO will determine all accounting procedures and financial records of the Council in accordance with the Accounts and Audit Regulations.

4.4.2. The RFO will complete the annual financial statements of the Council including the annual return as soon as practicable after the end of the financial year and will submit and report on them to the Council. The Council will review each year and ensure that there is an adequate, effective system of internal audit of the Council's accounting, financial and other procedures in line with Proper Practice.

4.4.3. An Internal Auditor will be appointed by the Council to carry out the work required to comply with the Proper Practice. The person appointed will be competent and independent of the operation of the Council.

4.4.4. The RFO will submit the Annual Return to the External Auditor by the due date, ensuring the return is complete.

#### **4.5. Banking Arrangements and Cheques**

4.5.1. The Council's banking arrangements, including the Bank Mandate, will be made by the RFO and approved by the Council. They will be regularly reviewed for efficiency.

4.5.2. The Council may make payments by cheque or electronic methods.

4.5.3. A resolution of the Council will nominate at least three members to be authorised by the Council to sign cheques or electronic payment mandates.

4.5.4. All items of expenditure will be authorised by the Council and the payments approved. The RFO will examine invoices and verify and certify the expenditure. Payment authorities must be signed by two authorised Councillors.

4.5.5. Where an urgent payment is required, the RFO may seek authority by e-mail from two authorised Councillors to carry out an electronic transaction. The transaction must be confirmed as soon as practical by signature of the authorised councillors on the mandate form. Copies of the authorising e-mails must be associated with the signed mandate form.

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4.5.6. Any utility bill may be paid by Direct Debit provided that the instructions are signed by two authorised Councillors.

4.5.7. Where a Council bank account is authorised for electronic banking an authorised signatory must examine the account details on line and confirm that the figures produced by the RFO at each Council meeting are in accord with the details held on the account.

#### **4.6. Loans and Investments**

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

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

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

#### **4.7. Contracts and Purchase Orders**

4.7.1. An official order or letter will be issued for all work or service 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.

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

4.7.3. All estimates will be approved by the Council; while the Council is not obliged to accept the lowest quotation the reasons for accepting the quotation will be recorded.

#### **4.8. Assets**

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

#### **4.9. VAT**

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

### **5. Insurance**

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

### **6. Risk Assessment**

6.1. A risk assessment will be undertaken annually of all the activities of the Council and a report approved by the Council. This assessment will also cover the

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appropriateness of the internal audit arrangements. The Risk Assessment will be reviewed annually.

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

#### **7. Freedom of Information**

- 7.1. The Council is subject to the Freedom of Information Act and has adopted the Model Publication Scheme for Parish Councils. The Clerk will ensure the Council conforms to the requirements of the Act allowing public access to the appropriate documents.

#### **8. Clerk to the Council**

- 8.1. The Council may appoint a number of employees to assist it in the performance of its duties. The Council will appoint a Clerk to the Council which will be on an employed basis, unless the Clerk is a member of the Council, acting in an unpaid capacity.
- 8.2. The Clerk will act as the Proper Officer of the Council, and he/she will: receive the Declarations of Acceptance of Office and notices disclosing interests; sign documents on behalf of the Council and issue agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council; and also advise the bank of changes to mandates with the bank.
- 8.3. The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer or other employees of the Council.
- 8.4. As an employee of the Council the Clerk is covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Clerk will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chairman or designated Councillor acting with the authority of the Council.

#### **9. Committees and task and finish groups**

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

#### **10. Emergency Business**

- 10.1. Should it not be appropriate to convene a special meeting then any emergency business will be handled by at least two of the Officers of the Council in consultation. If only one Officer of the Council is available that Officer must consult at least two other Councillors. Actions will be reported promptly to the Council.
- 10.2. The Chair, Vice-Chair and Clerk will become Officers of the Council when they take up those positions and will cease to be Officers when they relinquish their positions.

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

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

#### **12. Standing Orders**

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- 12.1. These and any other standing orders will be reviewed annually by the Clerk and the Chairman, and any amendments will be decided by the Council.
- 12.2. During the course of meetings of the Council, the Chairman's decision as to the interpretation of the standing orders will be final. In cases of doubt, the Council will seek the advice of the Northumberland Association of Local Councils.
- 12.3. The Council may resolve to suspend a Standing Order, in order to progress the business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time-limited.

### **13. Co-opting of councillors**

- 13.1 If following the election of the council, or at any other time, the number of councillors is less than 10 then the council has a duty to fill the vacancies.
- 13.2 When a vacancy arises this will be raised at the next meeting of the council. Following the meeting the clerk will place notices on the Parish Council notice boards indicating the vacancy or vacancies and noting that an election will be called if 10 or more electors notify the Northumberland County Council Returning Officer in writing requesting such election.
- 13.3 If an election is not to be held the clerk will publish notices asking any elector who wishes to be considered for co-option to submit their names in writing together with a brief resume to the clerk within 21 days of the date of the notice.
- 13.4 The clerk will distribute the names of all applicants together with copies of their resumes to all councillors with the agenda of the next meeting. The clerk will ask the applicants to attend the meeting.
- 13.5 The matter of the co-opting of new councillors will be placed on the agenda immediately after the confirmation of the minutes of the last meeting.
- 13.6 The applications will be considered by the council and questions may be asked, through the chair, of the applicants.
- 13.7 If there is more than one vacancy and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single composite resolution. But if the number of candidates exceeds the number of vacancies, each vacancy must be filled by a separate vote or series of votes. The person co-opted must receive a majority of the votes of those Councillors present and voting at the meeting where the co-option takes place. If there is more than one candidate a vote will be held amongst members present. This is done by successive counts to eliminate the least successful candidate until the successful candidate has an absolute majority of those present and voting. Councillors can only vote if they are present at the meeting. The vote is undertaken by secret ballot but the result must be announced and any Councillor can ask for a recorded vote at any time. If there is an equality of votes at any time, the Chairman must use his/her casting vote.
- 13.8 Once an applicant has been co-opted onto the council they are able to participate in the business of the meeting. Co-opted members have the same status and responsibility as elected Councillors once they are appointed and have signed the declaration of acceptance of office. Councillors appointed by the Council hold office until the next ordinary election.

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These Standing Orders were adopted by the Craster Parish Council at a meeting of the Council held on 19th. May 2016.