

## WADSWORTH PARISH COUNCIL

# STANDING ORDERS

## NOVEMBER 2015

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# 1. Rules of Debate

- a. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chair's discretion for reasons of expedience.
- b. Subject to Standing Orders 9(a)-(e) below, a motion shall not be considered unless it has been proposed and seconded.
- c. Subject to Standing Order 7 below, a motion included in an agenda not moved by the Councillor who tables it, may be treated as withdrawn. Any motion moved by the Council will remain in force for a minimum of six months.
- d. A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment shall, if required by the Chair, be reduced to writing and handed to the Chair who shall determine the order in which they are considered.
- e. A Councillor may move amendments to their own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f. Any amendment to a motion shall be either:
  - (i) To leave out words;
  - (ii) To add words'
  - (iii) To leave out words and add other words.
- g. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i. Subject to Standing Order 1(h) above, one or more amendments may be discussed together if the Chair considers this expedient but shall be voted upon separately.
- j. Pursuant to standing order 1(h) above, the number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.
- k. If an amendment is not carried, other amendments shall be moved in the order directed by the Chair.
- l. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

- m. The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.
- n. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o. Subject to standing orders 1(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another Councillor or to make a point of order or to give a personal explanation.
- 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 irregularity in the meeting he is concerned by.
- q. A point of order shall be decided by the Chair and their decision shall be final.
- r. With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s. Subject to standing order 1(o) above, when a Councillor's 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 silent or for him 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;
  - ix. to suspend any standing order, except those which are mandatory.
- t. In respect of standing order 1(s) (iv) above, the Chair shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chair shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

## 2 Disorderly Conduct at meetings

- a. 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.
- b. If, in the opinion of the Chair, if there has been a breach of standing order (a) above and 13 (below), the Chair shall express that opinion and thereafter any Councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c. If a resolution made in accordance with standing order 2(b) above, is disobeyed, the Chair may take such further steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## 3. Meetings Generally

Mandatory for full Council meetings ●

Mandatory for Committee meetings ●

Mandatory for Sub-Committee meetings ●

- a. Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
- ● b. When calculating the 3 days for notice of a meeting to Councillors and the public, the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.
- c. Members are asked to submit any Agenda Items for inclusion in the meeting, in writing/email to the Chair and Clerk, providing a brief summary of the topic to be debated to enable all Members to be able to take part in a fully informed debate. The Agenda items should be submitted before the last day of each month unless notified otherwise by the Clerk.
- ● d. Members unable to attend a Council meeting are required to inform the Clerk prior to the meeting of both their non-attendance and reasons for absence.
- ● e. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from

part of all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.

- f. The period of time (which is at the Chair's discretion) OR (which is designated for public participation in accordance with Standing Order 3(f) below, shall not exceed 15 minutes.
- g. Subject to Standing Order 3(f) above, each member of the public is entitled to ask one question only in respect of business itemised on the agenda or on a pertinent issue that may arise and shall not speak for more than 2 minutes unless directly required to speak to answer a question directed from a member of the council. Questions may only be asked by Wadworth Parishioners and Wadworth Business Owners (the latter at the discretion of the Chair). In cases where a question has been submitted from a member of the public but the individual is not in attendance for any reason, priority will be given to questions asked by those in attendance.
- h. In accordance with Standing Order 3(e) and (f) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- i. In accordance with Standing Order 3(g) above, the Chair may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- j. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- k. A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort), and clearly state their name prior to asking a question. The Chair may, at any time, permit an individual to be seated when speaking.
- l. Any person at a meeting shall address their comments to the Chair. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall direct the order of speaking.
- m. The recording of Council meetings is permitted under the 'Openness of Local Government Bodies Regulations 2014, Part 2 (Admissions to, and Reporting of, Meetings). Any person/press shall be permitted to film, photograph or audio record proceedings or use any other means for enabling persons not present to see or hear proceedings of a meeting as it takes place or later, provided it is in accordance with the separate policy adopted by the Council to effectively and lawfully manage this activity.
- n. When any Agenda Item is excluded, the public/press are also excluded from 3(l) above.

- o. Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair may in their absence be done by, to or before the Vice-Chair.
- p. The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and Vice-Chair are absent from a meeting, a Councillor, as chosen by the Councillors present at the meeting, shall preside at the meeting.
- q. Subject to Standing Order 3(u) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- r. The Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes, may exercise their casting vote whether or not they have an original vote (See also Standing Orders 5(i) and (j) below).
- s. Unless Standing Orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave their vote for or against that question. Such a request shall be made before moving onto the next item of business on the agenda.
- t. The minutes of a meeting shall include an accurate record of the following:-
  - (i) The time and place of the meeting;
  - (ii) The names of Councillors present and absent;
  - (iii) Interests that have been declared by Councillors and non-Councillors with voting rights;
  - (iv) Whether a Councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - (v) If there as a public participation session; and
  - (vi) The resolutions made.
- u. A Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the Code on their right to participate and vote on that matter.
- v. No business may be transacted at a meeting unless at least one third of the whole number of Members of the Council are present (which for Wadworth Parish Council equates to 3 No. Councillors).
- w. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.
- x. Meetings shall not exceed a period of 2 hours, unless Standing Orders are moved.

## 4. Committees and Sub-Committees

See also standing order 3 above

- (a) Unless the Council determines otherwise, a Committee may appoint a Sub-Committee whose terms of reference and members shall be determined by the Committee.
- (b) The members of a Committee may include non-Councillors unless it is a Committee which regulates and controls the finances of the Council.
- (c) Unless the Council determines otherwise, all the Members of an Advisory Committee and a Sub-Committee of the Advisory Committee may be non-Councillors.
- (d) The Council may appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. may permit committees to determine the dates of their meetings;
  - iii. shall appoint and determine the term of office of councillor or non-Councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
  - iv. may appoint substitute Councillors to a committee whose role is to replace ordinary Councillors at a meeting of a committee if ordinary Councillors of the committee have confirmed to the Proper Officer 24 hours before the meeting that they are unable to attend;
  - v. may in accordance with standing orders, dissolve a committee at any time.

## 5. Ordinary Council Meetings - See also Standing Order 3 above.

- a. In an election year, the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the new Councillors elected take office.
- b. In a year which is not an election year, the Annual Parish Council Meeting shall be held on such a day in May as the Council may direct.
- c. The Annual Parish Council Meeting shall take place at 7pm.
- d. In addition to the Annual Parish Council Meeting (in May), at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.
- e. The first item of business at the Annual Parish Council Meeting should be to elect the Chair and Vice-Chair.

- f. The Chair of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.
- g. The Vice-Chair of the Council, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- h. In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.
- i. In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.
- j. Following the election of the Chair and Vice-Chair of the Council at the annual meeting of the Council, the order of business shall be as follows:-
  - i. In an election year, acknowledge receipt of signed declarations of acceptance of office from new Councillors.
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by Committees.
  - iii. Review of delegation arrangements to Committees, Sub-Committees, employees and other local authorities.
  - iv. Review of the terms of reference for Committees.
  - v. Receipt of nominations to existing Committees.
  - vi. Appointment of any new Committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute Councillors) and receipt of nominations to them.
  - vii. Review and adoption of appropriate Standing Orders and Financial Regulations.
  - viii. Review of arrangements, including any Charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
  - ix. Review of representation on or work with external bodies and arrangements for reporting back.
  - x. Review of inventory of land and assets including buildings and office equipment.
  - xi. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
  - xii. Review of the Council's and/or employees' memberships of other bodies.
  - xiii. Establishing or reviewing the Council's complaints procedure.

- xiv. Establishing or reviewing the Council's procedure for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- xv. Establishing or reviewing the Council's policy for dealing with the press/media,
- xvi. Setting the dates, times and place or ordinary meetings of the full Council for the year ahead.

## **6. Extraordinary Meetings**

See also standing order 3 above

- a. The Chair of the Council may convene an extraordinary meeting of the Council at any time.
- b. If the Chair of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.
- c. The Chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d. If the Chair of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within (2) days of having been requested to do so by (2) Councillors, those (2) Councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by (2) Councillors.

## **7. Previous Resolutions**

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 4 Councillors to be given to the Proper Officer in accordance with Standing Order 9 below, or by a motion moved in pursuance of the recommendation of a Committee or Sub-Committee.

## **8. Voting on Appointments**

- a. Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chair's casting vote.

## **9. Motions requiring Written Notice**

Motion - Resolution: **A motion is a proposal put before a meeting** in order that something is done or that an issue be decided on. **A resolution is a motion which is approved of or passed at the meeting.** Thus a resolution is the result of a motion or an amended motion put before, and approved by, the meeting. Once the resolution is passed the meeting has made a legally binding decision. **Thus a resolution is an approved motion.**

- a. In accordance with Standing Order 15(b)(iii) below, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 14 clear days before the next meeting.
- b. The Proper Officer may, before including a motion in the agenda received in accordance with Standing Order 9(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c. If the Proper Officer considers the wording of a motion received in accordance with Standing Order 9(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in a clear and certain language at least 14 days before the meeting.
- d. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e. Having consulted the Chair or Councillors pursuant to Standing Order 9(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f. Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all Councillors.
- g. Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all Councillors.
- h. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area of its residents.

## **10. Motions not requiring Written Notice**

- a. Motions in respect of the following matters may be moved without written notice:-

- i. To approve the absences of Councillors.
  - ii. To approve the accuracy of the minutes of the previous meeting.
  - iii. To dispose of business, if any, remaining from the last meeting.
  - iv. To appoint a Committee or Sub-Committee or any Councillor (including substitutes) thereto.
  - v. To receive nominations to a Committee or Sub-Committee.
  - vi. To dissolve a Committee or Sub-Committee.
  - vii. To note the minutes of a meeting of a Committee or Sub-Committee.
  - viii. To consider a report and/or recommendations made by a Committee or Sub-Committee or an employee.
  - ix. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
  - x. To authorise legal deeds to be sealed by two Councillors and witnessed by the Proper Officer. (See Standing Orders 21a below)
  - xi. To authorise the payment of monies up to £250.00.
  - xii. To exclude the press and public for all or part of a meeting.
  - xiii. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
  - xiv. To give the consent of the Council if such consent is required by Standing Orders.
  - xv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- (b) Motions which may be passed without notice:-
- i. To appoint a person to preside at a meeting.
  - ii. To correct an inaccuracy in the minutes of the previous meeting.
  - iii. To alter the order of business on the agenda for reasons of urgency or expedience.
  - iv. To proceed to the next business on the agenda.
  - v. To close or adjourn debate.
  - vi. To refer by formal delegation a matter of a Committee or to a Sub-Committee or an employee.
  - vii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
  - viii. To extend the time limit for speeches.
  - ix. To suspend any Standing Order except those which are mandatory by law.
  - x. To adjourn the meeting, or to close a meeting.
  - xi. To answer questions from Councillors.
- c. If a motion falls within the terms of reference of a Committee or Sub-Committee or within the delegated powers conferred on an employee, a referral of the same may be made to such Committee or Sub-Committee or employee provided that the Chair may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

## **11. Handling confidential or sensitive information**

- a. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## 12. Draft Minutes

- a. If a copy of the draft minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 10(a) (ii) above.
- c. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:

*“The Chair of this meeting does not believe that the minutes of the meeting of the (name of meeting) held on (date) in respect of (agenda item) were a correct record but his view was not upheld by the majority of the (Members/Councillors/Attendees) and the minutes are confirmed as an accurate record of the proceedings.”*

- e. Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

## 13. Code of Conduct and dispensations

- (a) All Councillors with voting rights shall observe the code of conduct adopted by the Council.
- (b) Under the Localism Act 2011, Section 27 places a duty on the Council to promote and maintain high standards of conduct, stating that it must either adopt its own Code of Conduct or that of the Principle Authority’s.
- (c) It was resolved at the Council Meeting of 7th June 2012, to adopt the Code of Conduct for parish councils proposed by NALC.

- (d) Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- (e) A decision as to whether to grant a dispensation shall be made by the Proper Office OR (by a meeting of the Council, Committee or Sub-Committee) for which the dispensation is required and that decision will be final.
- (f) A dispensation request shall confirm:-
  - (i) the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - (ii) whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - (iii) the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - (iv) an explanation as to why the dispensation is sought.
- (g) A dispensation may be granted having regard to all relevant circumstances the following applies:-
  - (i) Without the dispensation the number of persons prohibited from participating in transacting the business as to impede the transaction of the business, or
  - (ii) Granting the dispensation is in the interests of persons living in the Council's area. Or
  - (iii) It is otherwise appropriate to grant a dispensation.

## **14. Code of Conduct complaints**

- a. Upon notification by the Borough Council that it is dealing with a complaint that a Councillor or Non-Councillor with voting rights has breached the Council's Code of Conduct, the Proper Officer shall report this to the Council.
- b. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of the Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take.
- c. The Council may:
  - (i) Provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - (ii) Seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- d. Upon notification by the Borough Council that a Councillor or Non-Councillor with voting rights has breached the Council's Code of Conduct, the Council

shall consider what, if any action to take against them. Such action excludes disqualification or suspension from office.

## 15. Proper Officer

- a. The Council's Proper Officer shall be the Clerk. The Proper Officer shall fulfil the duties assigned to the Proper Officer in Standing Orders.
- b. The Council's Proper Officer shall do the following:-
  - i. Sign and serve on Councillors by hand-delivery at their residences, a 'Summons to attend Council Meeting', confirming the time, date and venue of the meeting, along with an agenda/associated papers at least 3 clear days before the meeting.
  - ii. Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a Committee or a Sub-Committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).
  - iii. Subject to Standing Orders (9a)-4(e) above, include in the agenda all motions in the order received unless a Councillor has given written notice at least 14 days before the meeting confirming their withdrawal of it. (See 3c above.)
  - iv. Convene a meeting of full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office.
  - v. Make available for inspection the minutes of the meetings.
  - vi. Review and retain copied of byelaws made by other local authorities.
  - vii. Receive and retain declarations of acceptance of office from Councillors, which the Clerk will take responsibility for posting onto the Council's website.
  - viii. Retain a copy of every Councillors Register of Interests and any changes to it and keep copies of the same available for inspection.
  - ix. Keep proper records required before and after meetings,
  - x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance and subject to the Council's procedures relating to the same.
  - xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
  - xiii. Arrange for legal deeds to be signed by 2 No. Councillors and witnessed. (See also Standing Orders 22(a) and (b)).
  - xiv. Arrange for the prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
  - xv. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose.
  - xvi. Refer a planning application received by the Council to the Chair of, in their absence, to the Vice-Chair within 2 working days of receipt to facilitate an extraordinary meeting if the nature of the planning

application requires consideration before the next ordinary meeting of the Council.

- xvii. Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

## **16. Responsible Financial Officer**

- a. The Council has appointed the Clerk as the Responsible Financial Officer to oversee that accurate accounting/income and financial regulations are followed.

## **17. Accounts and Accounting Statement**

- a. 'Proper practices' in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners Guide.
- b. All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- c. The Responsible Financial Officer shall supply to each councillor a monthly statement summarising the Council's receipts and payments and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year.
- d. 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 councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.
- e. The Council shall approve written estimates for the coming financial year at its meeting before the end of January.

## **18. Financial controls and procurement**

- a. The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
  - v. procurement policies for contracts of all levels (subject to standing order 18(c) below) and requirements under the Public Contract Regulations 2015.

- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall satisfy the requirements of the Public Contract Regulations 2015 and will be procured on the basis of a formal tender as summarised in standing order 18(d) below. The council will advertise the contract opportunity on the Contract Finder website.
- d. Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
  - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender; and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- e. Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. Where the value of a contract is likely to exceed £172,514 (or other threshold specified by the Office of Government Commerce from time to time) the council must comply with the Public Contracts Regulations 2015 and where applicable, the Utilities Contracts Regulations 2006 (SI No. 6, as amended). If the 2006 Regulations apply to the contract the council must comply with EU procurement rules.

## **19. Requests for information**

- a. Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Council. The said Council/Committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## **20. Relations with the press/media**

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's Communications Policy.

## **21. Execution and Sealing of Legal Deeds**

- a. In accordance with a resolution made under standing order 10(a)(x) above any two members of the Council may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

## **22. Standing orders generally**

- a All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- c The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.