

# THORNLEY WITH WHEATLEY PARISH COUNCIL

## STANDING ORDERS

### AS AT NOVEMBER 2022

#### 1. Councillors

- 1.1 Following election or to 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 Declaration of Acceptance of Office in the presence of the Clerk, or of a Councillor who has been specifically designated by the Council.
- 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 If a Councillor has 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 a early opportunity in the meeting.

#### 2. Annual Meetings

- 2.1 If the Annual PC Meeting is in an election year it should be held within 14 days after that election. Otherwise the Annual PC Meeting will normally take place on an appropriate day in May.
- 2.2 If the current 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 appointment of a Chairman and Vice-Chairman and to receive their Acceptance of Office. Consideration will be given to the filling of any vacancy left unfilled at the election. The Proper Officer (Clerk) and Responsible Financial Officer will be appointed. Representatives on any groups, organisations etc. will be appointed.
- 2.3 The Annual Parish meeting will usually be held in May on the same date as the Annual PC meeting. The Chairman will report on activities for the preceding year.

#### 3. Meetings

- 3.1 The Council will hold the minimum of 4 meetings per calendar year. Meetings will usually commence at 7.00 pm and will be held in appropriate, accessible accommodation. **Meetings will be concluded within 1.5 hours to 2 hours.**
- 3.2 In exceptional circumstances, if it is not possible to hold a meeting physically, the meeting will be conducted remotely.

Regulation 5(2) of the 2020 Flexibility Regulations provides that a member in remote attendance attends the meeting at any time if the member is able at that time: a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance, b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at **the meeting, and c) to be**

so heard and, where practicable, be seen by any other members of the public attending the meeting. All of the above conditions must be satisfied.

- 3.3 The date of the next meeting (or meetings) will be confirmed at each meeting.
- 3.4 Councillors will be notified of each meeting by the issue of a summons and agenda, usually delivered by email. The agenda will be issued at least 3 business days before the meeting.
- 3.5 Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is considered confidential. Members of the public may speak at a Council meeting at the discretion of the Chairman of the meeting. An opportunity for public questions may be made available before the commencement of each meeting.
- 3.6 The agenda for the meeting will be agreed by the Clerk, Chairman or Vice-Chairman as appropriate. The agenda will always include a Declaration of Interest item.
- 3.7 Notices/agendas of meetings will be posted on the Council's website and on the Council's noticeboard at least 3 clear working days before the meeting.
- 3.8 The Council may only take decisions on items specified on the agenda. If an urgent item has been received after agenda send out, or it relates to an agenda item, it may be discussed at the Chairman's discretion.
- 3.9 The Chairman will preside at the meeting and will be responsible for the conduct of that meeting. If the Chairman is not available, the Vice-Chairman will preside. If he/she is not available the first matter on the agenda will be the election of a Councillor to chair the meeting.
- 3.10 The quorum for the meeting will be no fewer than 3 Councillors. If there are insufficient members present the meeting will have to be reconvened. If at any time during the meeting it becomes inquorate the meeting will be adjourned and any outstanding business carried forward to the next meeting. However, if there is urgent business which needs action the Chairman will decide how it should be managed.
- 3.11 Voting at the meeting will be by a show of hands. In cases of equal votes the Chairman (or other presiding Councillor) will have a second or casting vote. In the situation where a Proposer and Seconder is required details will be recorded in the minutes unless a Councillor requests that their vote is not noted.
- 3.12 Minutes of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes will be circulated and posted on the website following the meeting but will be in draft form until approved by the Parish Council at the next meeting and signed by the person presiding at that meeting.
- 3.13 With regard to planning applications, if there is a personal interest a statement can be made to the Parish Council meeting but then the Councillor must not be involved in discussion on that item.
- 3.14 In respect of consultation on planning applications, if the timescale for response to the Borough Council is before the next scheduled meeting of the Council, Councillors

will be requested by email to provide their comments to the Clerk and their responses will be reported to the next Council meeting for record.

#### **4. Finance**

- 4.1 The Responsible Financial Officer (RFO) will complete the annual financial statements of the Council including the Annual Governance and Accountability Return as soon as practicable after the end of the financial year and will submit and report on them for approval by the Council.
- 4.2 The RFO will appoint an Internal Auditor (independent of the Council) to carry out the work to complete the required document(s) in respect of the Annual Governance and Accountability Return.
- 4.3 The RFO/Clerk will submit the completed and signed Annual Governance and Accountability Return to the External Auditors by the due date.

#### **5. Insurance**

- 5.1 Following 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 and Employer's Liability (if appropriate), Money and Fidelity Guarantee.
- 5.2 If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences.
- 5.3 A risk assessment of all the Council's activities will be undertaken annually and a report approved by the Council. This assessment will also cover the appropriateness of the internal audit arrangements.

#### **6. Freedom of Information**

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

#### **7. Clerk to the Council**

- 7.1 The Council may appoint a number of employees to assist in the performance of its duties. The Council will appoint a Clerk which will be on an employed basis unless the Clerk is a member of the Council, acting in an unpaid capacity.
- 7.2 The Clerk will act as 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, issue agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council, advise the bank of any changes to

mandates with the bank, work in conjunction with the RFO in managing income and expenditure.

## **8. Invitation to Tender**

- 8.1 Submitted Tenders should be delivered to the Clerk in a sealed envelope which only shows the contract being tendered for, by the date and time specified in the invitation to tender. Tenders will be opened by the Chairman and one other Member of the Council with the Clerk. Details will not be made known until they have been considered by the Council.

## **9. Committees and Task and Finish Groups**

- 9.1 The Council 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 to the Council.

## **10. Emergency Business**

- 10.1 Should it be inappropriate to convene a special meeting, any emergency business will be handled by the Clerk in consultation with the Chairman and one other Councillor. Actions will be reported at the next Council meeting.

## **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**

- 12.1 These and other standing orders will be reviewed annually by the Clerk and Chairman and any amendments will be discussed and decided by the Council.
- 12.2 During the course of meetings the Chairman's decision as to the interpretation of the Standing Orders will be final.
- 12.3 The Council may resolve to suspend a Standing Order in order to progress the business of the Council. Such a decision will be included in the Minutes. The suspension will not be taken lightly and it will be time-limited.