

# EARNLEY PARISH COUNCIL

## STANDING ORDERS

These Standing Orders were adopted by the Council at its meeting

held on 23<sup>rd</sup> January 2014 Signed K. Martin Chairman

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## 1 Meetings

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 clear days for notice of a meeting to councillors and the public, the day on which 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 **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 or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e The period of time which is designated for public participation in accordance with standing order 1(d) above] shall not exceed 10 minutes.
- f Subject to standing order 1(e) above, each member of the public is entitled to

Speak once only in respect of business itemised on the agenda and shall not speak for more than 5 minutes.

- g In accordance with standing order 1(d) 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.
- h In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for a oral response or to an employee for a written or oral response.
- i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j Any person speaking at a meeting shall address his comments to the Chairman.
- k Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- l **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**
- m **In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- n **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).**

- o The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
  
- p Subject to model standing order 1 (x) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
  
- q The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (*See also standing orders 2 (i) and (j) below.*)
  
- r 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 his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
  
- s The minutes of a meeting shall record the names of councillors present and absent.
  
- t If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
  
- u The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
  
- v An interest arising from the code of conduct adopted by the Council, the

existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (*See also standing orders 4 below.*)

- w **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.**
- x **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.**
- y **Meetings should not exceed a period of 3 hours.**

## **2 Ordinary Council meetings**

*See also standing order 1 above*

- a **In an election year, the annual meeting of the Council 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 meeting of a Council shall be held on such day in May as the Council may direct.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- e **The election of the Chairman and Vice-Chairman of the Council shall be**

the first business completed at the annual meeting of the Council.

- f The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- g The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman 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 Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.
- j Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows.
  - i. In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolved for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;

- 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 references 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. In a year of elections, if a Council's period of eligibility to exercise the power of well being expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
- xi. In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future.
- xii. Review of inventory of land and assets including buildings and office equipment.
- xiii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
- xiv. Review of the Council's and/or employees' memberships of other bodies.
- xv. Reviewing the Council's complaints procedure.
- xvi. Reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.

- xvii. Reviewing the Council's policy for dealing with the press/media
- xviii. Setting the dates, times and place of ordinary meetings of the full Council up to and including the next annual meeting of full council.

### **3 Extraordinary meetings**

*See also standing order 1 above*

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
  
- b **If the Chairman 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 Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
  
- d If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 3 councillors, those 3 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 3 councillors.

### **4 Code of conduct**

*See also model standing orders 1(d)-(i) above*

- e All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had an interest.
  
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had an interest.
  
- d **Dispensation requests shall be in writing and submitted 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 Officer and that decision is final.
  
- f A dispensation request shall confirm:
  - a the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - b whether the dispensation is required to participate at a meeting in a discussion only or a discussion and vote;
  - c the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - d an explanation as to why the dispensation is sought.
  
- g Subject to standing order 4(d) and (f) above, dispensation requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required or at the beginning of the meeting of the council, or committee or a sub-

committee for which the dispensation is required.

- h **A dispensation may be granted in accordance with standing order 4(e) above in having regard to all relevant circumstances the following applies:**
- i. **Without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
  - ii. **Granting the dispensation is in the interests of the persons living in the council's area or**
  - iii. **It is otherwise appropriate to grant a dispensation.**

## **5 Allegations of breaches of the code of conduct**

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to a committee known as the code of conduct committee.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the code of conduct committee of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the code of conduct committee) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
- i. Draft the summonses and agendas in such a way that the identity and

- subject matter of the complaint are not disclosed.
- ii. Ensure that any background papers containing the information set out in standing order 5(a) above are not made public.
  - iii. Ensure that the public and press are excluded from meetings as appropriate.
  - iv. Ensure that the minutes of meetings preserve confidentiality.
  - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- d Standing order 5(c) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the code of conduct committee or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- e The code of conduct committee shall have the power to:
- i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
  - ii. seek and share information relevant to the complaint;
  - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.
- g References in standing order 5 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

## **6 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 Chairman's direction for reasons of expedience.

- b A motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 20(b) (iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- 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 Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which it is considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it must 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 Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

- j Pursuant to standing order 6(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 Chairman.
- 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 10 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 6(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 by which he is concerned.
- q A point of order shall be decided by the Chairman and his decision shall be final.

- r With the consent of the seconder and/or of the meeting, a motion or amendment thereafter 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 6(o) above, when a councillor's motion is under debate no other motion shall be moved except:
  - a to amend the motion;
  - b to proceed to the next business;
  - c to adjourn the debate;
  - d to put the motion to a vote;
  - e to ask a person to be silent or for him to leave the meeting;
  - f to refer a motion to a committee or sub-committee for consideration;
  - g to exclude the public and press;
  - h to adjourn the meeting;
  - i to suspend any standing order, except those which are mandatory.
  
- t In respect of standing order 6(s) (d) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman 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.

## **7 Disorderly conduct**

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.

- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
  
- c If a resolution made in accordance with standing order 7 (b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

#### **8 Motions requiring written notice**

Not applicable to Earnley Parish Council

#### **9 Motions not requiring written notice**

- a Motions in respect of the following matters may be moved without written notice.
  - i. To appoint a person to preside at a meeting.
  - ii. To approve the absences of councillors.
  - iii. To approve the accuracy of the minutes of the previous meeting.
  - iv. To correct an inaccuracy in the minutes of the previous meeting.
  - v. To dispose of business, if any, remaining from the last meeting.
  - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
  - vii. To proceed to the next business on the agenda.
  - viii. To close or adjourn debate.
  - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
  - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
  - xi. To receive nominations to a committee or sub-committee.

- xii. To dissolve a committee or sub-committee.
  - xiii. To note the minutes of a meeting of a committee or sub-committee.
  - xiv. To consider a report and/or recommendations made by a committee or a sub- committee or an employee.
  - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
  - xvi. To authorise legal deeds signed by two councillors and witnessed.  
*(See standing orders 14(a) and (b) below.)*
  - xvii. To authorise the payment of monies up to £ 2000.00.
  - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
  - xix. To extend the time limit for speeches.
  - xx. To exclude the press and public for all or part of a meeting.
  - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
  - xxii. To give the consent of the Council if such consent is required by standing orders.
  - xxiii. **To suspend any standing order except those which are mandatory by law.**
  - xxiv. To adjourn the meeting.
  - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
  - xxvi. To answer questions from councillors.
- b 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 Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

## **10 Rescission of previous resolutions**

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least three councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 10(a) above has been disposed of, no similar motion may be moved within a further 6 months.

## **11 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 9(a) (iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The Chairman of this meeting does not believe that the minutes of the meeting of the Council held on [date] in respect of ( ) were a correct

record but his view was not upheld by the majority of the Council 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.

## **12 Committees**

*See also standing order 1 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 the committee may include non-councillors unless it is a committee which regulates and controls finance of the council.**
  
- c **Unless the council determines otherwise, all members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
  
- a The Council may, at its annual meeting, 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 7 days before the meeting that they are unable to attend;
  - v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 12(a)(iv)

above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;

- vi. may in accordance with standing orders, dissolve a committee at any time.

### **13 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 Chairman's casting vote.

### **14 Execution and sealing of legal deeds**

*See also standing order 20(a) (xiii) and (xiv) below*

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 14(a) 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.**

### **15 Unauthorised activities**

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
  - i. Formally inspection any land and/or premises which the Council has a right or duty to inspect; or

- ii. issue orders, instructions or directions.

## 16 Financial matters

- 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 accounting records and systems of internal control;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the Internal Auditor 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;
  - v. procurement policies (subject to standing order 16(c) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.
  
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
  
- c **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 16(d) below.**
  
- d Any formal tender process shall comprise the following steps:
  - i. a public notice of intention to place a contract to be placed in a local newspaper;
  - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
  - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;

- iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
  - v. tenders are then to be assessed and reported to the appropriate meeting of Council.
- e Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- f **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

## **17 Expenditure**

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

## **18 Accounts and Financial 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 as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising
  - i. the Council's receipts and payments for the each quarter and the balances held at the end of a quarter.
  - ii. the council's aggregate receipts and payments for the year to date;
  - iii. The balances held at the end of the quarter being reported.And which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
  
- e As soon as possible after the financial year end at 31 March, the Responsible Officer shall provide:
  - i. Each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
  - ii. To the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
  
- f The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before

30 June.

**19 Estimates/precepts**

- a **The Council shall approve written estimates for the coming financial year at its meeting before the end of January.**
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

**20 Proper Officer**

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.
  - i. **at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors, by delivery or post at their residences, a signed summons confirming the time, place and the agenda**
  - 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. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his**

**office, in accordance with standing order [20(b)i] above.**

- iv. Make available for inspection the minutes of meetings.
  - v. **Receive and retain copies of byelaws made by other local authorities.**
  - vi. **Receive and retain declarations of acceptance of office from councillors.**
  - vii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
  - viii. Keep proper records required before and after meetings;
  - ix. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
  - x. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - xi. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
  - xii. Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also model standing orders 14(b).*)
  - xiii. 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.
  - xiv. Refer a planning application received by the Chairman of the Planning Committee or in his absence the Vice-Chairman of the Planning Committee within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
  - xv. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
- c Delegation of Authority to the Proper Officer
- I. Urgent matters arising between Ordinary Meetings of the Council shall be considered by the Chairman and at least one other members

(one of which shall, if possible, be the Vice Chairman), and recommendations made to the Proper Officer of the Council. The Proper Officer shall have regard to these recommendations, and make the appropriated decision(s), on the basis of authority, which is hereby delegated in accordance with Section 101 of the Local Government Act 1972. The Proper Officer shall report detail(s) made to the next Ordinary Meeting of the Council.

## **21 Handling Staff Matters**

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the employment committee has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman of the employment committee or, in his absence, the Vice-Chairman of the employment committee of any absence occasioned by illness or urgency and that person shall report such absence to the employment committee at its next meeting.
- c The Chairman of the employment committee or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back to the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman of the employment committee or in his absence, the Vice-Chairman of the employment committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the employment committee.

- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by Clerk relates to the Chairman or Vice-Chairman of the employment committee, this shall be communicated to another member of the employment committee, which shall be reported back and progressed by resolution of the employment committee.
  
- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
  
- g The Council shall keep written records relating to employees secure. All paper records shall be secure and electronic records shall be password protected. A sealed envelope with the password will be held securely by the Parish Council Chairman.
  
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
  
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 21(g) and (h) above if so justified.
  
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 21(g) and (h) above shall be provided only to Clerk and/or the Chairman of the Council.

## **22 Confidential business**

- 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 a special reason would not be in the public interest.
- b Councillors and staff shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- c A councillor in breach of the provisions of standing order 22(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

## **23 Requests for Information**

- a All requests for information held by the Council shall be processed 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 chairman of the Council. The council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000

## **24 Planning Applications**

- a. The Clerk shall refer every planning application received to the Chairman of the Planning Committee or such other member as the Council may determine by resolution, within 48 hours of receipt.
- b. Where, within the statutory time limits for consideration of planning applications, the application can be considered at the next meeting, the Clerk shall ensure that the Agenda for the meeting includes details of the application

- c. Where, within the statutory time limits for consideration of planning applications, it is necessary to respond to an application between meetings of the Council, the Clerk, on behalf of the Council, shall respond to Chichester District Council having consulted and received a majority decision from at least three members of the Council.

## **25 Relations with the press/media**

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

## **26 Liaison with District and County Councillors**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the District and County Council representing its electoral ward.
- b Unless the Council otherwise orders, a copy of each letter sent to the District or County or Council shall be sent to the District or County Council councillor representing its electoral ward.

## **27 Standing orders generally**

- a All or part of a standing order, except ones 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 A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- d The Chairman's decision as to the application of standing orders at meetings shall be final.
- e A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

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It is, of course recognised that local councillors can be male or female. Therefore, wherever the masculine gender is used, this should be interpreted as also meaning the feminine gender, where appropriate.