

# Castleton Parish Council - Standing Orders

**These Standing Orders were reviewed and adopted by full Council at its meeting on  
27<sup>th</sup> May 2021.**

**Signed .....Chairman**

## **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, Financial Regulations and Standing Orders and other relevant briefing material for 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 Disclosable Pecuniary Interest and Other Interests 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 at any meeting and unless a Dispensation is granted will withdraw from all proceedings, discussions and resolutions concerning that item.
- 1.4. On receipt of a written application from a councillor, the Council may grant a dispensation to him or her to speak and ( if agreed by the Council) to vote on a matter in which he or she has an interest. The Council will record in the minutes the details of the dispensation which is granted, for public inspection.

## **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 Chair is available then he/she will preside until a new Chair has been elected. The first business of the Annual Meeting will be the election of the Chair and Vice Chair and to receive their acceptance of office forms.
- 2.3. The retiring Chair will report on the activities of the Council for the preceding year.
- 2.4. In addition to the business in 2.2 and 2.3 above, the business of and requirements for an annual meeting will be subject to the same provisions as are specified for council meetings in section 3, below.
- 2.5. Included in the business of the Annual Meeting shall be the consideration and review of all financial and procedural matters, documentation and policies which require annual review as set out in Standing Orders or Financial Regulations or the making of arrangements for the prompt review of such items by an appropriate committee of the Council.

## **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, not less than 4 per year, will be decided at the Annual Meeting and Councillors will be advised of each meeting by the issue of a summons and agenda. The agenda and summons will be delivered by email provided the Council has previously agreed to this. The agenda and summons must be issued at least three clear working days before the meeting. The requirement for the issue of the summons and agenda also applies to additional ordinary meetings or extraordinary meeting should they be required.
- 3.3. Public notices will be posted in conspicuous places, including display upon a public access website, informing members of the public of the venue, time, date and business to be transacted at the meeting. The notice will be posted at least three clear working days before the meeting.
- 3.4. Meetings will be open to the public and press but they may be temporarily excluded from the meeting by resolution if the business is regarded as confidential or otherwise prejudicial to the public interest.
- 3.5. The public may record and transmit electronically the proceedings of a meeting of the Council and of any of its committees. No recording may be made of the public who are in attendance at the meeting, or of matters that occur in the meeting-place immediately prior to or following the meeting, without the Council's prior consent.
- 3.6. Members of the public may speak at Council meetings at the discretion of the Chair of the meeting. An opportunity for public questions will be made available during and as part of each meeting.
- 3.7. The agenda for the meeting will be agreed by the Clerk and Chair. It will be issued by the Clerk along with the summons (unless other arrangements have been agreed in special circumstances). Items, correspondence or resolutions to be placed upon the agenda or items for approval or payment at a meeting shall be notified to the Clerk by Councillors at least one clear day before the last usual working day forming the 'three clear working days' notice period. The agenda will always include an item to enable Councillors to declare interests.
- 3.8. If not otherwise provided for, Council may only take decisions on items clearly specified on the agenda; if agreed by the Chair, any urgent items which are not on the agenda may be discussed, but no decision may be made at that meeting.
- 3.9. The Chair of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chair is not present then the Vice Chair will preside. If they neither is 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 Chair for the meeting.
- 3.10. 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.
- 3.11. If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any remaining business carried forward to the meeting when next convened.
- 3.12. Voting at the meeting shall be by a show of hands unless a majority of Councillors wants a ballot. Resolutions require a simple majority to be passed. 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.

- 3.13. In cases of equal votes the Chair (or other person presiding) will have a second or casting vote.
- 3.14. 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. Unapproved draft minutes will be made available to the public, by means of publication upon a public access website, when circulated to Councillors but will only be posted upon a noticeboard or other suitable place once approved unless their prior publication is required by earlier regulation or statutory deadline. The minutes will be approved at the following meeting and signed by the person presiding at that meeting, with amendments annotated if required, and retained in the minute book.
- 3.15 Extraordinary meetings require the same procedures and timescales as other meetings. Extraordinary meetings may be called by notice to the Clerk by the Chair or by two other Councillors making a request in writing to the Clerk.

#### **4. Emergency Business**

- 4.1. Should it not be possible to convene an extraordinary meeting then any emergency business will be handled by a designated person, usually the Clerk or Chair. The scope of the delegated authority should be minuted and periodically reviewed. Actions will be reported promptly to the Council.

#### **5. Finance**

- 5.1. **Responsible Finance Office (RFO)** - 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 and the Council's Financial Regulations.
- 5.2. **Financial Regulations** - The Council shall draw up Financial Regulations setting out the procedures and policies governing its financial transactions and records, and these regulations shall be read in conjunction with and shall inform Standing Orders where required.
- 5.3. **Income and Expenditure** - The RFO will bring to the attention of Council any significant underspends or overspends and Council shall take appropriate action to address any discrepancies. Underspent revenue for a financial year will be identified and earmarked to reserves by a Council resolution.

#### **6. Insurance**

- 6.1. 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.

#### **7. Risk Assessment**

- 7.1. A risk assessment will be undertaken annually of all the activities of the Council and its assets, responsibilities, duties and equipment and premises used, and a report approved by the Council. This assessment will also cover the appropriateness of the internal audit arrangements. The Risk Assessment will be reviewed annually and recorded in the minutes of the Council meeting.
- 7.2. If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences.

## **8. Freedom of Information**

- 8.1. 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. The Council will annually review the procedure and scheme.

## **9. Clerk to the Council**

- 9.1. 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.
- 9.2. 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 summons 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.
- 9.3. The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer or other employees of the Council.
- 9.4. As an employee of the Council the Clerk is covered by employment legislation that deals 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 Chair or designated Councillor acting with the authority of the Council. The Council must also have a Discipline and Grievance procedure in place

## **10. Committees and task-and-finish groups**

- 10.1. 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. Membership shall consist only of Councillors unless Council resolves to appoint additional external persons.

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

- 11.1. Decisions of the Council will not be reversed 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 Standing Orders will be reviewed annually by Council and any amendments will be decided by the Council.
- 12.2. During the course of meetings of the Council, the Chair'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 Derbyshire 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.

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