

ROGERSTONE COMMUNITY COUNCIL – STANDING ORDERS

MEETINGS

1. Meetings of the Council shall commence at 7pm unless the Council decides otherwise at a previous meeting.
2. The statutory Annual Meeting (a) in an election year shall be held on or within 14 days following the day of the ordinary elections to the Council and (b) in a year, which is not an election year, shall be held on the first Wednesday in May. The Council may at any Ordinary Meeting, if they think fit, alter the day fixed by this Standing Order for a particular meeting.
3. There will be no Ordinary Meeting of the Council held during the month of August.
4. Three clear days notice shall be given to all Members stating the place, day, and hour of Council Meetings.

CHAIRMAN OF MEETING

5. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.

PROPER OFFICER

6. Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, it shall be the Clerk:
 - a) To receive declarations of acceptance of office
 - b) To record notices disclosing pecuniary interests
 - c) To receive and retain plans and documents
 - d) To sign notices or other documents on behalf of the Council
 - e) To receive copies of bylaws made by a District Council
 - f) To certify copies of bylaws made by a District Council
 - g) To sign summonses to attend meetings of the Council

In any other case and in the absence of the Clerk the proper officer shall be the Chairman.

QUORUM

7. Five members shall constitute a quorum.
8. If a quorum is not present when the Council meets, or if during a meeting the number of councillors present and not debarred by reason of a declared pecuniary interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting, or on such other day as the Chairman may fix.

VOTING

9. Members shall vote by a show of hands, or if at least two members so request, by signed ballot.
10. If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.
11. Subject to (a) and (b) below, the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though they gave no original vote.
 - a) If the person presiding at the Annual Meeting would have ceased to be a member of the Council but for the statutory provisions, which preserve the membership of the Chairman and Vice- Chairman until the end of their term of office, they may not give an original vote in an election for Chairman.
 - b) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

ORDER OF BUSINESS

(In an election year Councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of the proper officer previously authorised by the Council to take such declaration, before the annual meeting commences).

12. At each Annual Meeting the first business shall be as in Schedule 1 and shall thereafter follow the order set out in Standing Order 15.
13. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice Chairman be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received, to decide when they shall be received.
14. In every year the Council shall review the pay and conditions of the Clerk and any other employees.
15. After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as in Schedule 2.
16. A motion to vary the order of business on the ground of urgency: -
 - a) May be proposed by the Chairman or any member, and if proposed by the Chairman, may be put to the vote without being seconded
 - b) Shall be put to the vote without discussion

RESOLUTIONS MOVED ON NOTICE

17. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the agenda by the Clerk, or the mover has

given notice in writing of its terms and has delivered the notice to the Clerk at least fourteen clear days before the next meeting of the Council.

18. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given, in the order in which they have been received, unless the member giving a notice of motion has stated in writing that they intend to move at some later meeting or that they withdraw it.
19. If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it, or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
20. If the subject matter of resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, considering it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
21. Every resolution or recommendation shall be relevant to some question over which the Council has power, or which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

22. Resolutions dealing with matters in Schedule 3 may be moved without notice.

QUESTIONS

23. A member may ask the Chairman or the Clerk any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins.
24. No question not connected with business under discussion shall be asked unless the Chairman gives permission.
25. Every question shall be put and answered without discussion.
26. A person to whom a question has been put may decline to answer.

RULES OF DEBATE

27. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
28. Resolutions:
 - a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has already been given, it shall be reduced to writing and handed to the Chairman before it is further discussed or put to the meeting.
 - b) A member when seconding a resolution or amendment, may, if they declare their intention to do so, reserve their speech until a later period of debate.

- c) A member shall direct their speech to the question under discussion or to a personal explanation or to a question of order.
- d) No speech by a mover of a resolution shall exceed five minutes, and no other speech shall exceed five minutes except by consent of the Council.
- e) An amendment shall be either:
 - i) To leave out words;
 - ii) To leave out words and insert or add others;
 - iii) To insert or add words.
- f) An amendment shall not have the effect of negating the motion before the Council.
- g) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding five minutes.
- j) A member, other than the mover of the resolution, shall not, without leave of the Council, speak more than once on any resolution, except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- k) A member may rise to make a point of order or a personal explanation. A member rising for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by them, which may have been misunderstood.
- l) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal, unless such permission has been refused.
- m) When a resolution is under debate no other resolution shall be moved except the following:
 - i) To amend the resolution.
 - ii) To proceed to the next business.
 - iii) To adjourn the debate.
 - iv) That the question be now put.
 - v) That a members named be not further heard.

- vi) That a member named does leave the meeting.
- vii) That the resolution be referred to a committee.
- viii) To exclude the press and public.
- ix) To adjourn the meeting.

29. Chair

- a) The ruling of the Chairman on a point of order or on the admissibility of personal explanation shall not be discussed.
- b) Members shall address the Chairman.
- c) If two or more members wish to speak, the Chairman shall call upon one of them to speak first.
- d) Whenever the Chairman rises during a debate all other members shall be seated and silent.

CLOSURE

30. At the end of any speech a member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “ that the Council do now adjourn”. If such a motion is seconded the Chairman shall put the motion but, in the case of a motion “to put the question”, only if the Chairman is of the opinion that the question before the Council has been sufficiently debated. If the motion “that the question is now put” is carried, the Chairman shall call upon the mover to exercise or waive their right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

DISORDERLY CONDUCT

31. Conduct:

- a) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- b) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (a) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT OF REPLY

32. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF RESOLUTION

33. A member may, with the consent of their seconder, move amendments to their own resolution.

REVOCATION OF PREVIOUS RESOLUTION

34. Previous resolutions:
- a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least four members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
 - b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

VOTING ON APPOINTMENTS

35. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

36. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary, or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded (Standing Order No. 65 refers).

RESOLUTIONS ON EXPENDITURE

37. Any resolution which, if carried, would in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon.

EXPENDITURE

38. Orders for the payment of money shall be authorised by resolution of the Council and signed by two members and the Clerk to the Council. Petty cash approvals are to be authorised by the Clerk to the Council.

SEALING OF DOCUMENTS

39. Sealing:
- a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
 - b) The Chairman and one other member of the Council may seal, on behalf of the Council, any document required by law to be issued under seal.

COMMITTEES AND SUB-COMMITTEES

40. The Council shall at the Annual Meeting appoint committees and may at any other time appoint any committees as necessary, but subject to any statutory provision in that behalf:
- a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting except in the case of:
 - i) Any School Governors.
 - ii) Any others that the Council considers necessary.

For reasons of continuity (i) (ii) – these appointments shall last for the period of office until the next election of a Community Council and shall be confirmed at each Annual Meeting.
 - b) May be subject to the provisions of Standing Order 34 at any time dissolve or alter membership of a committee.
 - c) May appoint member(s) of the public to a committee (except Finance Committee). Any such appointment (unless to a committee to organise a festival) shall be non-voting.
41. The Chairman and Vice-Chairman ex officio shall be Chairman and Vice-Chairman of every committee.
42. The Chairman and Vice Chairman may nominate a member to act on their behalf on any committee they signify that they do not wish to serve.
43. The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

44. Every committee may appoint a sub-committee for purposes to be specified by the committee.
45. Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be three, including any ex-officio members.
46. Where the committee or sub-committee does not have its own Standing Orders, the Standing Orders on rules of debate (except those parts relating to standing and speaking more than once), the Standing Orders on interests of members in contracts and other matters and the Standing Order on contracts shall apply to committee and sub-committee meetings.
47. A committee or sub-committee may make recommendations and give notice thereof to full Council.

VOTING IN COMMITTEES

48. Members of committees and sub-committees shall vote by a show of hands, or if at least two members so request, by signed ballot.
49. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

PRESENCE OF NON MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

50. A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.
51. Any Council member, shall unless the Council otherwise orders, be entitled to be present at the meetings of any committee of which they are not a member, but shall not vote.

ACCOUNTS AND FINANCIAL STATEMENT

52. Except as provided in paragraph (a) of this Standing Order, or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
 - a) Where it is necessary to make a payment before it has been authorised by the Council payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the Chairman or Vice Chairman of the Council.
 - b) All payments ratified under sub-paragraph (a) of the Standing Order shall be separately included in the next schedule of payments laid before the Council.
53. The Clerk shall make available to members a statement of receipts and payments following the end year financial accounts.

ESTIMATES

54. The Finance Committee duly appointed by full Council shall provide full Council with a written estimate of the expenditure recommended for the coming Financial Year. This estimate to be submitted to full Council no later than its meeting in February.

INTERESTS

55. If any members has a pecuniary interest, direct or indirect, within the meanings of sections 94-95 of the Local Government Act 1972, in any contract, proposed contract or other matter, they shall, while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in section 97(b) or:
- a) The disability imposed upon him by those sections has been removed by the District Council; or
 - b) The Council invite him to remain; or
 - c) The contract, proposed contract or other matter is under consideration as part of the report of a committee and not itself the subject of debate.
56. The Clerk shall record in the minutes, particulars of any notice given by any member or any officer of the Council of a pecuniary or any other interest.
57. If any member has a non-pecuniary interest within the ambit of the National Code of Local Government Conduct, he shall, having declared it, be invited to withdraw from the meeting.
58. If a candidate for any appointment under the Council is to their knowledge related to any member of, or the holder of any office under the Council, they and the person to whom they are related shall disclose the relationship in writing to the Clerk. A candidate, who fails to do so shall be disqualified for such an appointment, and if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure.

RECOMMENDATIONS BY MEMBERS

59. A member of the Council shall not solicit for any person, any appointment under the Council or recommend any person for such appointment or promotion; but, nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
60. Standing Order number 59 shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

61. A member for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available, shall on request, be supplied for the like purpose with a copy by the Clerk to the Council.
62. All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council and by any elector of the parish at any reasonable time.

UNAUTHORISED ACTIVITIES

63. No member of the Council or any committee or sub-committee shall in the name of, or on behalf of the Council:

a) Inspect any lands or premises which the Council has a right or duty to inspect;

or

b) Issue orders.

Unless authorised to do so by the Council or the relevant committee or sub-committee.

ADMISSION TO THE PRESS AND PUBLIC TO MEETINGS

64. The press and public shall be admitted to all meetings of the Council and its committees and sub-committees, which may however, temporarily exclude the press and public by means of the following resolution, viz:

“ That in the view of the (special) (confidential) nature of business about to be transacted, it is advisable in the public interest, that the press and public be temporarily excluded and they are instructed to withdraw.”

65. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

66. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that they be removed.

67. The public are allowed the right to speak at a 15 minute question and answer session prior to the start of each community council meeting.
Questions must be submitted to the clerk of the council in writing 7 days in advance of the meeting to ensure a considered response.
Answers will be provided by the Clerk of the Council unless otherwise directed by the Chairman of the Council'

CONFIDENTIAL BUSINESS

68. Confidential business;

a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or sub-committee as the case may be.

b) Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

DURATION OF MEETINGS

69. After the Council have at any meeting sat for two and three quarter hours, the meeting shall be closed by the Chairman, unless members of the Council present, not being less in number than an absolute majority, otherwise resolve without debate.

ABSENCE FROM MEETINGS

70. The Clerk shall record apologies for absence from meetings of the Council and the reasons in the minutes, if no apologies are received the member shall be listed as absent.

PLANNING APPLICATIONS

71. Planning applications:
- a) The Clerk shall record the following particulars of every planning application notified to the Council:
 - (i) The address of the application.
 - (ii) A summary of the nature of the application.
 - (iii) The comments of the Council in relation to the application.
 - b) The Clerk shall notify the determining authority of the comments of the Council within the prescribed or agreed timescale.

CONSIDERATION OF MATTERS

72. Any issues, matters or suggestions that members wish to place on the agenda, must be notified to the Clerk at least two weeks prior to the meeting of the Council at which it is to be discussed.
If this is not possible, the Chairman must be notified in writing not later than ten minutes before the meeting commences and it will be at the discretion of the Chairman whether the matter should be included as an urgent matter.

CONTRACTS *(to be read in conjunction with Appendix 1, Financial regulations)*

73. Every contract made by the Council shall, except in any emergency, comply with these Standing Orders, and express note shall be made in the Minutes of the Council of any exception from any of the provisions of these Standing Orders and of the emergency by which the exception shall have been justified.
- a) Before inviting tenders for work which may exceed £6,000 the Council shall receive from the appropriate Officer a "Capital Expenditure" report giving an estimate of the likely capital cost and probable revenue cost.
 - b) No contract which exceeds £6,000 in value or amount for the supply of goods or materials or the execution of a any work shall be made, unless at least ten days public notice has been given in the district and also wherever the value or amount

of the contract exceeds £6,000 in one or more newspapers or journals circulating the district, expressing the nature and purpose thereof inviting tenders for its execution, and stating the last date when tenders will be received. Alternatively, no less than three firms, which are included on an appropriate approved list of contractors used by a local authority may be considered.

- c) Where in pursuance of Standing Order 73(b) invitations to tender is required, every notice of such invitation shall state that no tender will be received except in a plain sealed envelope which may bear the word "Tender" – followed by the subject to which it relates, but shall not bear any name or mark indicating the sender and such envelope shall remain in the custody of the Clerk of the Council until the time appointed for the opening of tenders.

Tenders shall be opened at one time only in the presence of:

- (i) Such member or members of the Council as may have been designated for the purpose by the Council.
 - (ii) The Clerk of the Council.
- d) A tender other than the lowest tender if payment is to be made by the Council or the highest tender if payment is to be received by the Council shall not be accepted until the Council shall have considered a written report from the appropriate officer or other persons.
- e) Every contract, which exceeds £6,000 in value or amount, shall be in writing.
- f) (i) Every written contract shall specify;
- The work materials or items to be furnished, had, or done.
 - The price to be paid with a statement of discounts or other deductions.
 - The time or times within which the contract is to be performed.
- (ii) Every contract which exceeds £6,000 in value or amount and is either for the execution of works or for the supply of goods or materials otherwise than at one time, shall provide for some pecuniary penalty to be paid by the contractor in case the terms of the contract are not duly performed, and the Council may require and take sufficient security for the due performance of every such contract.
- g) In every written contract a clause shall be inserted to secure that the Council shall be entitled to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation, if the contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to the obtaining or execution of the contract or any other contract with the Council, or if the like acts shall have been done by any person employed by him or acting on his behalf (whether with or without the knowledge of the contractor) or, if in relation to any contract with the Council, the contractor or any person employed by him or acting on his behalf shall have committed any offence under the Prevention of Corruption Acts 1889 or 1916, or shall have been given any fee or reward the receipt of which is an offence under sub section (2) of section 123 of the Local Government Act, 1933.

- h) For carrying out works or supply of materials or equipment between the values of £1,200 and £6,000, not less than three quotations must be invited from recognised contractors or suppliers. The quotations should be sealed and shall remain unopened in the custody of the appropriate officer until the time appointed for opening which should be in accordance with Standing Order 73(c) (i) and (ii). Acceptance shall be in writing. A quotation other than the lowest shall not be accepted until the Council has received a report from the appropriate officer.
- i) For carrying out works or supply of materials or equipment between the values of £360 and £1,200 a written quotation must be obtained from a recognised contractor and acceptance must be in writing.
- j) Neither the Council nor any committee, or sub-committee is bound to accept the lowest or any tender.
- k) If no tenders are received, or if all the tenders are identical the council may make such arrangements for procuring the goods or materials or executing the works as it sees fit.

COUNCIL MEMBERS TENDERING FOR SUPPLIES AND SERVICES

74. Council members shall not be precluded from tendering for supplies or services to the Council, provided that the requirements of the Standing Orders are complied with on all occasions.

CASUAL VACANCIES

75. The office of a Councillor becomes vacant:
- a) If they cease to be qualified or become disqualified; or
 - b) If they fail to make a declaration of office within the prescribed time; or
 - c) If they are absent for six consecutive meetings of the Council unless the Council approves the reason for absence. Any member in Her Majesty's Service in connection with war or emergency does not need such approval.
76. Every vacancy, whether so declared or not, must be publicly notified. If ten electors do not claim a poll within fourteen days of the public notice, a casual vacancy is to be filled by co-option within sixty days. An absolute majority of those present and voting is required to choose a new Councillor. If ten electors claim a poll, a bye-election is to be held by poll. No poll can be claimed in the six months before the ordinary elections.

SPECIAL GENERAL MEETINGS

77. These can be called by the Chairman between the normal meetings of the Council if:
- a) The business is urgent.
 - b) Would take up excessive time at a normal meeting.
- or

- c) A written request by a notice bearing the names of at least four Councillors is received.

The summons shall set out the business to be considered at the Special General Meeting and no other business shall be transacted at that meeting.

SMOKING AT COUNCIL MEETINGS

- 78. Smoking is not permitted during Council meetings.

CODE OF CONDUCT ON COMPLAINTS

- 79. The Council shall deal with complaints of maladministration allegedly committed by the Council, or by any member or officer as soon as possible, and in accordance with the National Association of Local Councils National Circular 2/86 (Reissued).

NATIONAL CODE OF LOCAL GOVERNMENT CONDUCT

- 80. In addition to the nationally recognised code of conduct, the Council shall be guided by the contents of "Local Council Administration" (Fifth Edition 1989) by Charles Arnold Baker and subsequent revisions.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 81. Any or every part of Standing Orders may be suspended by resolution in relation to any specific item of business.
- 82. A resolution permanently to add, vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

STANDING ORDERS TO BE GIVEN TO MEMBERS

- 83. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to them of the member's declaration of acceptance of office, together with any subsequent amendments.

SCHEDULES

Schedule 1

Annual General Meeting order of business:

- a) To elect a Chairman
- b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
- c) To elect a Vice- Chairman
- d) To appoint committees or any other officers which the Council deems necessary
- e) To appoint representatives on any other organisation or authority, which the Council deems necessary.
- f) To appoint school governors

Schedule 2

Order of business at a normal meeting:

- a) Declarations of interest:-
To receive disclosures of personal interests from members in accordance with the Code of Conduct.
- b) Fifteen minute public question & answer session.
(Questions to be submitted in writing to the Clerk to the Council, 7 days in advance of the meeting).
- c) To read and consider the Minutes, provided that if a copy has been circulated to each member not later than the day of issue to the summons to attend the meeting, the Minutes may be taken as read.
- d) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
- e) To receive and consider reports and Minutes of committees.
- f) To consider matters arising from the Minutes.
- g) To deal with business expressly required by statute to be done
- h) To dispose of business, if any, remaining from the last meeting
- i) To answer questions
- j) To receive new correspondence
- k) To authorise the signing of orders for payment
- l) To consider planning applications

- m) To receive such communications as the person presiding may wish to lay before the Council
- n) To consider resolutions or recommendations in the order in which they have been notified
- o) Any other business specified in the summons

Schedule 3

Resolutions moved without notice:

- a) To appoint a Chairman of the meeting
- b) To correct the Minutes
- c) To approve the Minutes
- d) To alter the order of business
- e) To proceed to the next business
- f) To close or adjourn the debate
- g) To refer a matter to a committee
- h) To appoint a committee or any members thereof
- i) To adopt a report
- j) To authorise the signing or sealing of documents
- k) To amend a resolution
- l) To give leave to withdraw a resolution or an amendment
- m) To extend the time limit for speeches
- n) To exclude the press and public
- o) To silence or eject from the meeting a member named for misconduct
- p) To invite a member having an interest in the subject matter under debate to remain
- q) To give the consent of the Council where such consent is required by these Standing Orders
- r) To suspend and Standing Order
- s) To adjourn the meeting

Appendix 1.

FINANCIAL REGULATIONS

(To be read in conjunction with Standing Orders).

(N.B. – Under the Council’s scheme of delegation the Clerk is also the Responsible Financial Officer (RFO), however, the duties of the RFO role are mandated to the Financial Consultant on behalf of the Clerk).

1. GENERAL

- 1.1 These financial regulations govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council.
- 1.2 The Responsible Financial Officer (RFO), under the policy direction of the Council, shall be responsible for the proper administration of the Council’s affairs.
- 1.3 The RFO shall be responsible for the production of financial management information.

2. ANNUAL ESTIMATES

- 2.1 Each committee (if necessary) shall formulate and submit proposals to the Council in respect of revenue and capital costs for the following financial year not later than the end of November each year.
- 2.2 Detailed estimates of all receipts and payments for the year shall be prepared each year by the RFO.
- 2.3 The Council shall review the estimates not later than the end of January each year and shall fix the Precept to be levied for the ensuing financial year. The RFO shall supply each member with a copy of the approved estimates.
- 2.4 The annual budgets shall form the basis of financial control for the ensuing year.
- 2.5 The Council shall prepare and have regard to a forecast of Revenue and Capital receipts and Payments, which shall be prepared at the same time as the annual Budget or Estimates.

3. BUDGETARY CONTROL

- 3.1 Expenditure on revenue items may be incurred up to the amounts included in the revenue budget.
- 3.2 No expenditure may be incurred that will exceed the amount provided in the revenue budget.
- 3.3 The RFO shall provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure against that planned.
- 3.4 The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work, which is of such extreme urgency that it must be done at once, whether or not there is budgetary provision for the expenditure, subject to

a limit of £1000. The Clerk shall report any action to the Council as soon as practicable thereafter.

- 3.5 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.
- 3.6 All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.

4. ACCOUNTING & AUDIT

- 4.1 All accounting procedures and financial records of the Council shall be determined by the RFO as required by the Accounts and Audit Regulations 1996 as amended.
- 4.2 The RFO shall be responsible for the completion of the annual financial statements of the Council as soon as practicable after the end of the financial year and shall submit them and report thereon to the Council.
- 4.3 The RFO shall be responsible for the completion of the Accounts of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Audit Commission) and for submitting the Annual Return for approval and authorisation by the Council within the timescales set by the Accounts and Audit Regulations 1996 as amended, or set by the Auditor.
- 4.4 The Clerk shall be responsible for ensuring that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with Regulation 5 of the Accounts and Audit Regulations 1996 as amended. Any officer or member of the Council shall, if the Clerk or Internal Auditor requires, make available such documents of the Council which appear to the Clerk or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the Clerk or Internal Auditor with such information and explanation as the Clerk or Internal Auditor considers necessary for that purpose.
- 4.5 The Internal Auditor shall carry out the work required by the Clerk, or by the Council, with a view to satisfactory completion of the Internal Auditor's Report section of the Annual Return as compiled annually by the Audit Commission. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing on a regular basis with a minimum of one annual report in respect of each financial year.
- 4.6 The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers required by the Audit Commission Act 1998 section 15 and the Accounts and Audit Regulations 1996 as amended.
- 4.7 The Clerk shall as soon as practicable bring to the attention of all councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

5. BANKING ARRANGEMENTS & CHEQUES

- 5.1 The Council's banking arrangements shall be made by the Clerk and approved by the Council; they shall be reviewed regularly by the RFO for efficiency.
- 5.2 A schedule of the payments required, forming part of the Agenda for the Meeting, shall be prepared by the Clerk and, together with the relevant invoices, be presented to Council. If the schedule is in order it shall be authorised by a resolution of the Council and shall be initialled by the Chairman of the Meeting. If more appropriate, the detail may be shown in the Minutes of the Meeting.
- 5.3 Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2 or in accordance with paragraph 6.4, shall be signed by the Clerk and two members as detailed in bank mandate.
- 5.4 To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.

6. PAYMENT OF ACCOUNTS

- 6.1 All payments shall be effected by cheque or other order drawn on the Councils bankers.
- 6.2 All invoices for payment shall be examined, verified, and certified by the Clerk. The Clerk shall satisfy himself that the work, goods or services to which the invoice relates shall have been received, carded out examined and approved.
- 6.3 The Clerk or nominated officer shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Clerk shall take all steps to settle invoices submitted, and which are in order, at the next available Council Meeting.
- 6.4 If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (interest) Act 1998, and the due date for payment is before the next scheduled Meeting of Council, where the Clerk certifies that there is no dispute or other reason to delay payment, the Clerk may (notwithstanding paragraph 6.3 take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of Council.
- 6.5 The Clerk may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the Clerk with a claim for reimbursement.
 - a. The Clerk shall maintain a petty cash float of £300 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
 - b. Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
 - c. Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented under 5.2 above.

7. PAYMENT OF SALARIES

- 7.1 The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salaries shall be as agreed by Council.
- 7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records on the appropriate dates, provided by Nathan Evans Limited.

8. LOANS & INVESTMENTS

- 8.1 All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.
- 8.2 The Council's Investment Policy, shall be in accordance with the Trustee Act 2000, and shall be reviewed on a regular basis (at least annually).
- 8.3 All investments of money under the control of the Council shall be in the name of the Council.
- 8.4 All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose.
- 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the Clerk.

9. INCOME

- 9.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the Clerk.
- 9.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the Clerk and the Clerk shall be responsible for the collection of all accounts due to the Council.
- 9.3 The Council will review all fees and charges annually, following a report of the Clerk.
- 9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.
- 9.5 All sums received on behalf of the Council shall be banked intact as directed by the Clerk. In all cases, all receipts shall be deposited with the Council's bankers with such frequency, as the RFO considers necessary.
- 9.6 Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.7 The Clerk or nominee shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with the VAT Act 1994, section 33 shall be made at least annually coinciding with the financial year-end.

- 9.8 Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control, such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10. ORDERS FOR WORK GOODS & SERVICES

- 10.1 An official order shall be issued for all work, goods, and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of all orders shall be retained.
- 10.2 Order books shall be controlled by the Clerk or nominee.
- 10.3 All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining quotations or estimates from appropriate suppliers, subject to any provisions in Standing Orders 73 (contracts) which has been copied in section 11, below.
- 10.4 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

11. CONTRACTS

Every contract made by the Council shall, except in any emergency, comply with these Standing Orders, and express note shall be made in the Minutes of the Council of any exception from any of the provisions of these Standing Orders and of the emergency by which the exception shall have been justified.

- a) Before inviting tenders for work which may exceed £6,000 the Council shall receive from the appropriate Officer a "Capital Expenditure" report giving an estimate of the likely capital cost and probable revenue cost.
- b) No contract which exceeds £6,000 in value or amount for the supply of goods or materials or the execution of a any work shall be made, unless at least ten days public notice has been given and also wherever the value or amount of the contract exceeds £60,000 in one or more newspapers or journals circulating the district expressing the nature and purpose thereof inviting tenders for its execution, and stating the last date when tenders will be received. Alternatively, no less than three firms, which are included on an appropriate approved list of contractors used by a local authority, may be considered.
- c) Where in pursuance of Standing Order 73(b) invitations to tender is required, every notice of such invitation shall state that no tender will be received except in a plain sealed envelope which may bear the word "Tender" – followed by the subject to which it relates, but shall not bear any name or mark indicating the sender and such envelope shall remain in the custody of the Clerk of the Council until the time appointed for the opening of tenders.

Tenders shall be opened at one time only in the presence of:

- (i) Such member or members of the Council as may have been designated for the purpose by the Council.
 - (ii) The Clerk of the Council.
- d) A tender other than the lowest tender if payment is to be made by the Council or the highest tender if payment is to be received by the Council shall not be accepted until the Council shall have considered a written report from the appropriate officer or other persons.
- e) Every contract, which exceeds £6,000 in value or amount, shall be in writing.
- f)
 - (i) Every written contract shall specify;
 - The work materials or items to be furnished, had, or done.
 - The price to be paid with a statement of discounts or other deductions.
 - The time or times within which the contract is to be performed.
 - (ii) Every contract which exceeds £6,000 in value or amount and is either for the execution of works or for the supply of goods or materials otherwise than at one time, shall provide for some pecuniary penalty to be paid by the contractor in case the terms of the contract are not duly performed, and the Council may require and take sufficient security for the due performance of every such contract.
- g) In every written contract a clause shall be inserted to secure that the Council shall be entitled to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation, if the contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to the obtaining or execution of the contract or any other contract with the Council, or if the like acts shall have been done by any person employed by him or acting on his behalf (whether with or without the knowledge of the contractor) or, if in relation to any contract with the Council, the contractor or any person employed by him or acting on his behalf shall have committed any offence under the Prevention of Corruption Acts 1889 or 1916, or shall have been given any fee or reward the receipt of which is an offence under sub section (2) of section 123 of the Local Government Act, 1933.
- h) For carrying out works or supply of materials or equipment between the values of £1,200 and £6,000, not less than three quotations must be invited from recognised contractors or suppliers. The quotations should be sealed and shall remain unopened in the custody of the appropriate officer until the time appointed for opening which should be in accordance with Standing Order 73(c) (i) and (ii). Acceptance shall be in writing. A quotation other than the lowest shall not be accepted until the Council has received a report from the appropriate officer.
- i) For carrying out works or supply of materials or equipment between the values of £360 and £1,200 a written quotation must be obtained from a recognised contractor and acceptance must be in writing.
- k) Neither the Council nor any committee, or sub-committee is bound to accept the lowest or any tender.

- l) If no tenders are received, or if all the tenders are identical the council may make such arrangements for procuring the goods or materials or executing the works as it sees fit.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contact (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2 Where contracts provide for payment by instalments the Clerk shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carded out under contract, excluding agreed variations will exceed the contract sum of 5% or more, a report shall be submitted to the Council.
- 12.3 Any variation to a contract or addition to or omission from a contract must be approved by the Council and Clerk to the Contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

13. STORES & EQUIPMENT

- 13.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2 Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4 The RFO shall be responsible for periodic checks of stocks and stores at least annually,

14. PROPERTIES & ESTATES

- 14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The Clerk shall ensure a record is maintained of all properties owned by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable, and purpose for which held in accordance with Regulation 4(3)(b) of the Accounts and Audit Regulations 1996 as amended.
- 14.2 No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any consents required by law, save where the estimated value of any one item of tangible moveable property does not exceed £250.

15. INSURANCE

- 15.1 Following an annual risk assessment, the Clerk shall effect all insurances and negotiate all claims on the Councils insurers.
- 15.2 The Clerk shall give prompt notification of all new risks, properties, or vehicles, which require to be insured, and of any alterations affecting existing insurances.

- 15.3 The Clerk shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.4 The Clerk shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to the Council at the next available meeting.
- 15.5 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance, which shall cover the maximum risk exposure as determined by the Council.

16. CHARITIES

- 16.1 Where the Council is sole trustee of a charitable body, the Clerk shall ensure that separate accounts are kept of the funds held on charitable trust and separate financial reports made in such form as shall be appropriate, in accordance with charity and law and legislation, or as determined by the Charity Commission. The RFO shall arrange for any Audit or Independent Examination as may be required by charity law or any governing body.

17. RISK MANAGEMENT

- 17.1 The Clerk shall promote risk management policy statements in respect of all activities of the Council.
- 17.2 When considering any new activity the Clerk shall consider a draft risk assessment management policy for the activity, and shall if necessary bring a draft addressing the legal and financial liabilities and risk management issues that arise to Council for consideration.

18. REVISION OF FINANCIAL REGULATIONS

- 18.1 It shall be the duty of the Council to review the financial regulations of the Council from time to time.