

Model Standing Orders for Smaller Parish Councils

(Compiled by the Northumberland Association of Local Councils July 2010)

1. Standing Orders for Stainton & Streatlam Parish Council

1.1. Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders of the Council. They will sign the 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 personal or prejudicial interest in an item for discussion at a Council meeting. The Councillor will declare that interest and the nature of the interest at the earliest opportunity.

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 Chairman is available then he/she will preside until a new Chairman has been elected. The first business of the Annual Meeting will be the election of the Chairman (and Vice Chairman, if appropriate) and to receive their acceptance of office.

2.3. The retiring Chairman will report on the activities of the Council for the preceding year.

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 will be decided at the Annual Meeting and Councillors will be advised of the meetings by the issue of a summons and agenda delivered by post or by hand. The agenda may be delivered by email provided the Council has previously agreed to this. In any case the agenda must be issued at least three clear business days before the meeting.

3.3. Public notices will be posted in conspicuous places 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 if the business is regarded as confidential.

3.5. Members of the public may speak at Council meetings at the discretion of the Chairman of the meeting.

3.6. The agenda for the meeting will be agreed by the Clerk, Chairman and Vice Chairman as appropriate. The agenda will always include an item to enable Councillors to declare interests. An opportunity for public questions will be made available immediately before the commencement of each meeting.

3.7. The Council may only take decisions on items clearly specified on the agenda; if agreed by the chairman, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting.

3.8. The Chairman of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chairman is not present then the Vice Chairman will preside. If they are not 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 Chairman for the meeting.

3.9. 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.

3.10. If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any further business carried forward to the meeting when next convened.

3.11. Voting at the meeting shall be by a show of hands unless a majority of Councillors wants a ballot. 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.

3.12. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.

3.13. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes which are circulated will be draft minutes until they are approved by the Parish Council at their next meeting and signed by the person presiding at that meeting.

3.14. With regard to planning applications - if there is a personal interest a statement can be made to the Parish Council meeting but then the person must leave the meeting while discussions take place

4. Finance

4.1. 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.

4.2. Estimates and Precept The RFO will compile estimates of income and expenditure annually for the Council's consideration. The Council will review the budget not later than the end of December in preparation for the precept being agreed, and submitted to the Collection Authority in January. During the year the budget will be reviewed against actual expenditure and income. Amendments to the budget will be discussed in Council and changes minuted.

4.3. Income and Expenditure The RFO will supply regular updates of income and expenditure throughout the year and detail actual figures against estimate. Significant under-spends or overspends will be brought to the attention of the Council and action taken to address any discrepancies. Under-spent revenue will be identified and earmarked to reserves by a Council resolution.

4.4. Accounting and Audit The RFO will determine all accounting procedures and financial records of the Council in accordance with the Accounts and Audit Regulations.

4.4.1. The RFO will complete the annual financial statements of the Council including the annual return as soon as practicable after the end of the financial year and will submit and report on them to the Council. The Council will review each year and ensure that there is an adequate, effective system of internal audit of the Council's accounting, financial and other procedures in line with Proper Practice.

4.4.2. An Internal Auditor will be appointed by the Council to carry out the work required to comply with the Proper Practice. The person appointed will be competent and independent of the operation of the Council.

4.4.3. The RFO will submit the Annual Return to the External Auditor by the due date, ensuring the return is complete.

4.5. Banking Arrangements and Cheques

4.5.1. The Council's banking arrangements, including the Bank Mandate, will be made by the RFO and approved by the Council. They will be regularly reviewed for efficiency.

4.5.2. A resolution of the Council will nominate at least three members to be authorised by the Council to sign cheques.

4.5.3. All items of expenditure will be authorised by the Council and the payments approved. The RFO will examine invoices and verify and certify the expenditure. Cheques will be completed for all transactions and signed by two authorised Councillors.

4.5.4. Any utility bill may be paid by Direct Debit provided that the instructions are signed by two authorised Councillors.

4.6. Loans and Investments

4.6.1. All loans and investments will be negotiated in the name of the Council and will be set for a period approved by the Council.

4.6.2. All borrowings will be in the name of the Council and will not be entered into until necessary approvals have been given. Any application will be approved by Council, especially the terms and purpose. These terms must be reviewed annually.

4.6.3. All investments of money under the control of the Council will be in the name of the Council and all certificates or other documents will be retained by the RFO.

4.7. Contracts and Purchase Orders

4.7.1. An official order or letter will be issued for all work or service paid for by the Council. All Councillors and officers are responsible for obtaining good value for money at all times. An officer placing an order on behalf of the Council will ensure that good value and appropriate terms are obtained for the transaction.

4.7.2. Orders for values £500 to £2000 require a minimum of two quotations; for values above £2000 three quotations are required. Contracts exceeding £50,000 require additional safeguards and will follow Proper Practice.

4.7.3. All estimates will be approved by the Council; while the Council is not obliged to accept the lowest quotation the reasons for accepting the quotation will be recorded.

4.8. Assets The RFO will ensure that an appropriate and accurate Register of Assets is maintained by the Council. It will be reviewed at least annually, in conjunction with a health and safety inspection of assets if appropriate.

4.9. VAT The RFO will promptly complete any VAT Return that is required. Any repayment claim due in accordance with the VAT Act 1974 section 33 will be made at least annually coinciding with the financial year.

5. Insurance 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.

6. Risk Assessment

6.1. A risk assessment will be undertaken annually of all the activities of the Council 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.

6.2. If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences.

7. Freedom of Information 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.

8. Clerk to the Council

8.1. 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.

8.2. 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 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.

8.3. The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer or other employees of the Council.

8.4. As an employee of the Council the Clerk is covered by employment legislation dealing 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 Chairman or designated Councillor acting with the authority of the Council.

9. Committees and task and finish groups 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.

10. Emergency Business Should it not be appropriate to convene a special meeting then any emergency business will be handled by the Clerk, in consultation with the Chairman and one other Councillor. Actions will be reported promptly to the Council.

11. Alteration or Reversal of previous decisions Decisions of the Council will not be revised within 4 months, except where a special item is placed on the agenda bearing the name of two Councillors, and is considered and approved by the Council.

12. Standing Orders

12.1. These and any other standing orders will be reviewed annually by the Clerk and the Chairman, and any amendments will be decided by the Council.

12.2. During the course of meetings of the Council, the Chairman'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 Northumberland 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.

These Standing Orders were adopted by Stainton & Streatlam Parish Council at a meeting of the Council held on 28th November 2013.

STANTON & STREATLAM PARISH COUNCIL

I hereby give notice to all Councillors that you are requested to attend a meeting of Stainton & Streatlam Parish Council on Thursday 28th November 2013 commencing at 7.30pm in Stainton Village Hall

AGENDA

(Amendments may be made up to three days prior to the meeting)

1. Apologies for absence
2. Declarations of Interest (in agenda items)
 - update of members interests
3. Minutes of the Last Meeting
4. Matters arising From the Minutes
5. Public Open Session on agenda items (if any - max 15 minutes)
6. Finance Business
7. Other correspondence (if any)
8. Any Other Business
9. Date(s) of next meeting(s)

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1. **Establishment of Parish Councils** Parish councils are the most local form of elected government and represent the first tier of Local Government. Parish councils were established by the Local Government Act 1894. Since then there have been numerous Acts which have increased their powers and their constitution is now governed by the Local Government Act 1972.

2. **Powers and Responsibilities of Parish Councils** A parish council is a body corporate as a statutory body. It has wide powers to provide and maintain certain amenities within the parish. These include (amongst many others too numerous to list in this article) providing recreational grounds, public open space, community facilities, allotments, bus shelters, burial grounds and maintaining public footpaths and bridleways. It may also ask a district council to compulsorily purchase land on its behalf if it is unable to acquire land by agreement.

3. **Current role in relation to planning** Parish councils must be notified of any planning applications for the area (if it has requested the authority that it wishes to be notified). Any comments submitted by the parish council to the local planning authority must be taken into account.

4. **Standing Orders and Delegated Authority** A parish council can make standing orders for the regulation of its proceedings and business and may vary or revoke such orders. A parish council can also create committees to deal with various functions such as its planning or community functions. Standing orders can be made to regulate quorum, proceedings and place of meeting of any committee of the parish council.

Unless a parish council delegates its functions to its committees and officers, decisions for the discharge of its functions can only be made at council meetings. In the planning context, parish councils often give delegated authority to members of a planning committee to consider and respond to planning applications received from the local planning authority. The manner in which planning applications are considered by a parish council will depend on any standing orders and the scheme of delegation that has been put in place by the parish council. A decision made by councillors not formally constituted as a committee or sub-committee or outside of the scheme of delegation would be unlawful and could be set aside by a court if made by a person or a body without the power to make it.

5. **Meetings** Schedule 12 of the Local Government Act 1972 sets out the procedure relating to parish meetings. A parish council consists of the chairman and not less than five elected parish councillors. Council members are either elected at local elections or appointed by the council. A parish council must hold an annual meeting and at least three other meetings in a year. An extraordinary meeting may be called at any time by the chairman or members and two members must sign the requisition.

In practice, most parish councils meet monthly. Every meeting is open to the public except where the council formally resolves to exclude the public (this includes the Press) on the grounds that publicity would be prejudicial to the public interest due to the confidential nature of the business being considered. This provision also applies to any committee of the parish council.

At least three clear days before a parish council meeting:

(i) notice of the time and place of the intended meeting must be fixed in a noticeable place in the parish and, where the meeting is called by members of the council, the notice must be signed by those members and must specify the business to be discussed; and

(ii) a summons to attend the meeting, specifying its business, must be signed by the proper officer of the parish council and left or sent by post to the residence of every member of the council.

No business may be transacted at a parish council meeting unless at least one-third of the whole number of members of the council are present. The quorum of committees may be regulated by standing order. Unless otherwise provided by the parish council's standing orders, the manner of voting at meetings must be by a show of hands. On the requisition of any member of the council, the voting must be recorded to show whether each member present and voting gave his vote for or against the question.

6. **Governing Documents**

Governing documents for parish councils will normally comprise (and should be available for inspection):

- Standing Orders for meetings and the conduct of council business;
- committee and delegation arrangements;
- access to information arrangements;
- contract standing orders;
- financial arrangements;
- Members code of conduct;
- Other codes which may be adopted by the council

Cllr J Brown
28th November
7.30 pm, Stainton Village Hall

Cllr J Teasdale
28th November
7.30 pm, Stainton Village Hall

Cllr J Rowlandson
28th November
7.30 pm, Stainton Village Hall

Cllr A J Cooke
28th November
7.30 pm, Stainton Village Hall

Cllr B Hutchinson
28th November
7.30 pm, Stainton Village Hall

Cllr E O'Hara
28th November
7.30 pm, Stainton Village Hall