

STANDING ORDERS

Standing Orders provide procedures and controls for the management of Council business.

These Standing Orders can be revised at any time but only at a Council Meeting. It is also required that the Standing Orders be formally reviewed each year as part of the Annual Management Review. This Annual Management Review should normally take place following the return from the Internal Auditor. This allows for full incorporation of the Auditors' comments.

All modifications and revisions to Nempnett Thrubwell's Standing Orders must be approved in a Council meeting and recorded in the minutes. The updated version should be recorded as such and noted on the cover of each issue. Up to date copies should be provided to all members and be available for reference at meetings.

Nempnett Thrubwell Parish Council Standing Orders

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Nempnett Thrubwell Parish Council Standing Orders

1. CONSTITUENCY OF NEMPNETT THRUBWELL PARISH COUNCIL

Nempnett Thrubwell Parish Council ("The Council") constitutes 7 Councillors democratically elected by parishioners at local elections – every 4 years.

- If one or more resignations occur, between elections the Council can either: -
- continue with less than 7 members until the next election.
- seek to hold a full election, under statutory procedures monitored by B&NES
- co-opt another member or members after the statutory notice of vacancy has been published.

The Council shall elect the Chair of the Council (who shall hold office for a maximum of three consecutive years).

Each meeting shall include a Proper Officer, normally the Clerk.

2. MEETING SCHEDULE

Meetings of Nempnett Thrubwell Parish Council shall be held at 7.30pm in Nempnett Thrubwell Village Hall unless otherwise agreed at a previous meeting. There will normally be 12 meetings a year. The Council will normally meet every month, on the 1st Tuesday of the month. These shall be called Full Council Meetings.

An Extraordinary Meeting of the Council can be called at any time by the Chair. Extraordinary Meetings must be publicised in the same way as Full Council Meetings.

Any 2 members may submit a written request signed by them to the Chair to call an Extraordinary Meeting. The Chair must then hold an Extraordinary Meeting.

An Annual Meeting of the Council shall normally be held every year in May. The Proper Officer (normally the Clerk) shall prepare and circulate to members the meeting schedule for each year, which shall be published on the web-site and notice boards.

3. CHAIR OF MEETING

The person presiding at the meeting may exercise all powers and duties of the Chair in relation to the conduct of the meeting.

4. PROPER OFFICER

Any reference to the Clerk of the Council is, by virtue of the Local Government Act 1972, to be construed as a reference to the proper officer of the Council. The Clerk shall be the Proper Officer of the Council in discharging the following functions and duties imposed by statute, regulation or order:

- to receive declarations and acceptance of office
- to receive and record notices disclosing pecuniary interests
- to receive and retain plans and documents
- to sign summons to attend meetings of the Council.

5. THE CLERK

The Clerk (or the relevant Chair) shall arrange and call meetings of the Council in consultation with the relevant Chair.

The Clerk shall carry out and implement any Council instructions unless this authority has been delegated otherwise by Standing Orders.

The Clerk shall take urgent decisions on behalf of the Council in consultation with the Chair and / or other member(s).

The Clerk shall be the Responsible Financial Officer of the Council.

6. CONSTITUENCY OF MEETINGS

The Chair of the Council or in his/her absence the Vice Chair shall chair meetings of the Council. In their absence the Council shall select a member to chair the meeting. The meeting cannot start until a selection has been made.

QUORUM.

No business shall be dealt with unless there is a quorum of 3 members present. If there is no quorum the meeting must be adjourned immediately. If a quorum is not present when the Council meets or if, during a meeting, the number of Councillors debarred by reason of a declared interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next scheduled meeting or on such other day as the Chair may fix. The Council must nominate a Proper Officer for the meeting, this should normally be the clerk. If the clerk is not available an appointment must be made for the meeting to continue. This can be a member of the Council. The nominee must then perform the role of the Proper Officer.

7. NOTICE OF MEETINGS

Meetings shall be held at a place, date and time fixed by the Council. Meetings shall not be held in premises being used at the time for the supply of alcohol unless no other room is available. Notice of the time, place and date of the meeting must be fixed in a conspicuous place at least 5 working days before each meeting. These sites have been agreed as the 3 Parish Notice boards in the village. One at Nempnett Street, one outside the Village Hall and one at the top of the village near the Row of Ashes.

In addition, the agenda will be posted on the Village website.

All notices must specify the business proposed to be transacted at the meeting.

All members of the Council must be given at least 5 workings days' notice of all meetings from the Proper Officer (the Clerk) specifying the business proposed to be transacted (the agenda). This may be by electronic means if the member has granted permission to receive all communications by email.

8. VOTING

Members shall vote by a show of hands.

If a Member so requires, the Clerk shall record the names of the members who voted on any question so as to show who voted for or against it.

Decisions shall be made by majority. There is no requirement for a unanimous vote unless the Chair specifies that this is required.

Members present must vote or request to abstain.

In the event of an equality of votes on an issue the Chair must give a casting vote.

9. ANNUAL GENERAL MEETING

An Annual General Meeting of the Council shall normally be held every year in May.

In the year of elections of the Parish Councillors, the Annual General Meeting shall be held within 14 days after the date on which the nominees are elected to office.

In the year which is not an election year, the meeting can be held on any day in May. Normally this would be the day of the May scheduled meeting i.e. the 1st Tuesday in May.

ORDER OF BUSINESS FOR ANNUAL MEETINGS.

ORDER OF BUSINESS - At Annual Meetings business shall be dealt with in the following order:

- Election of Chair (this to be followed immediately by the Chair's declaration of acceptance of office)
- Election of Responsible Financial Officer
- When the Annual Meeting follows Council elections, the receipt of 'Declaration of Acceptance of Office' by members.
- Receiving apologies for absence.
- Agreeing the minutes of the last meeting and signing them.
- To confirm the dates, times and venues for meetings for the coming year.
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RECORDING AND VOTING.

All nominations for Office must be proposed and seconded before voting confirms the appointment. The individuals who nominate and second shall be recorded, the confirmation of Office shall be by majority vote of all council members.

OTHER BUSINESS

The Annual Meeting business is followed by full council meeting business.

NB: There is no reference to the Annual (Parishioners) Parish Meeting because that is not a Parish Council Meeting.

10. FULL COUNCIL MEETINGS

At Full Council Meetings, business shall be dealt with in the following order: -

- Receiving any apologies for absence
- Disclosures of interests by members
- Agreeing the minutes of the last meeting and signing them
- Announcements from the Chair
- Receiving petitions / questions from the public

Other business placed on the agenda.

The order of business may be changed at the meeting by the Chair.

11. PUBLIC QUESTION TIME

Items of public interest for which the public are present are dealt with early on the agenda, or in the case of planning matters immediately prior to consideration of the Council of the relevant planning application. The Council normally requests members of the public to make these representations between 7.30 and 7.45 p.m. before the full commencement of other Parish Council business. This amount of time can be extended by the Chair if required.

It is desirable to make provision for members of the public to ask questions or make representations to the Council. This can be by advance notice which enables a response to be made. Alternatively, it can be spontaneous. Any elector within the Parish has the right to put a question to the meeting about a matter for which the Council has responsibility or which affects the Parish.

In any case, the Council is not obliged to respond at the meeting, a more considered response may be necessary, and arrangements will need to be made to do this.

Questions will not be received by the Council which are in furtherance of an individual's circumstances or which are about a matter where there is a right of appeal to the courts, tribunal or government minister.

Questions will not be received by the Council where the issue it concerns has been the subject of a decision by the Council in the last 6 months. **An elector putting a question may not speak for more than five minutes.** A maximum of 15 minutes will be allowed for public questions unless the Chair decides otherwise.

Where notice of a question has been asked, a reply may be given orally at the meeting by the Chair or person nominated by the Chair, or a written reply given to the elector at a time designated by the Chair.

12. PUBLIC ATTENDANCE

Members of the public are permitted to attend any part of a meeting but, other than during the prescribed public question time, they are not allowed to comment on, or interrupt, the proceedings. The Council may exercise the right to request members of the public to make themselves absent for some parts, or all, of the meeting in order that the Council may maintain discretion or the openness required for full and frank discussion without compromise while considering decisions.

13. PUBLIC PETITIONS

Petitions may be received at Full Council meetings provided the petition is received by the clerk no later than mid-day, 5 working days before the day of the meeting and is signed by at least 10 electors within the Parish.

Petitions may only be about a matter for which the Council has a responsibility or which affects the Parish.

Petitions will not be received by the Council which are in furtherance of a person's individual circumstances or which are about a matter where there is a right of appeal to the courts, a tribunal or government minister. A petition will not be received by the Council where the issue concerned has been the subject of a petition in the last 6 months or a decision of the Council in the last 6 months.

One signatory may speak on the petition for no more than 5 minutes. No discussion shall take place on the petition. A member may move that the petition be referred to the next meeting, a committee or another body. Once seconded the motion will be voted on with no discussion. No more than 5 petitions will be considered at a meeting.

14. MINUTES

No discussion shall take place on a motion to agree the minutes other than their accuracy. Any corrections shall be made by moving that the minutes are agreed with the corrections stated.

The minutes must record the names of members present at the meeting and the declarations of interests of any member

The draft minutes of a meeting must be circulated to all members as soon as practicable and referred to the next meeting for agreement and signing by the Chair, after which they can be designated 'Confirmed'.

Until the minutes are agreed at the next meeting and signed by the Chair they must always be designated 'draft' and published on the web-site and notice boards with-in two weeks of a meeting.

The master copy of the signed minutes, except March 1988 to January 1995 and July 2013 to March 2016 which cannot be located, shall be retained indefinitely in the Councils filing cabinet located in the village hall with electronic copies retained by the Clerk for all meetings held since March 2017.

15. PLANNING

Planning applications will first come to the Clerk who will notify all members of the Council within 7 days and they will be debated by the full Council. Feedback to B&NES or other planning authority will be made by the Clerk after the meeting.

In addition, the clerk will monitor planning applications in all neighbouring parishes and bring applications which may impact on the parish to all members attention within the same timescale. Before consideration of any planning application the applicant and (unless the Chair decides otherwise), one objector (who is to represent all the objectors) will each be given 3 mins (or such longer period as the Chair may decide) to support their application or raise objections.

16. RISK REVIEW

The full Council is to conduct an Annual Risk Review and year-end internal review.

This is to consider and propose an effective programme of management controls on all Council activity which minimise Council exposure to risk, improve financial and non-financial practice and enhance overall delivery of the best possible service to the community.

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.

If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences. In the March meeting, there will be a year-end review on performance ahead of the completion of year end audit return

17. ANNUAL AUDIT REVIEW.

Following the Internal and External Audit reviews, taking into account all comments made by the Auditor this review will propose recommendations for improvement in management controls to the Council.

18. APPOINTMENTS AND OFFICERS

The Internal Auditor

The Council will appoint an internal auditor to audit the annual accounts.

This will be in addition to the external audit carried out by the appointed external auditor, if required.

19. ATTENDANCE AT MEETINGS

It should be noted that attendance at meetings by all Councillors is required and should be considered when agreeing to become a Member. Members are summoned to attend each meeting at least 5 working days in advance by means of the circulation of the agenda by email. Meetings of the Council are public meetings and the Council encourage all members of the public, in particular parish residents, to engage in and contribute to the activity of the Council and its meetings.

Invitations to meetings are notified to the public by public posting of the agenda at least 5 working days in advance of each meeting. The annual meeting schedule is also displayed on each Parish Council notice boards in the village and on the Council website.

As a matter of course, additional invitations are extended to the Local Ward Councillor.

The Council may seek to invite any individual or group to a meeting of the Council in order to assist the Council in enhancing its delivery of service to the community.

20. ACCESS TO INFORMATION OR ARRANGEMENTS

The public and press are entitled to attend any meeting of the Council or any committee unless excluded by formal resolution in relation to any other matter of business.

Any person (including the press) who attends a Council or Committee meeting may report on the proceedings of the meeting. This includes:

- Filming, photographing or making an audio recording of proceedings at a meeting e.g. using a mobile phone, tablet, such as an iPad, filming for a TV broadcast, recording for a radio broadcast.
- Using any other means for enabling people not present at a meeting to see or hear proceedings as it takes place or later (e.g. live streaming).
- Written reporting or commentary on the proceedings during or after a meeting or oral reporting or commentary after the meeting. Written reporting includes blogging, posting comments on Facebook or tweeting. A person present at the meeting does not have a right to give an oral report or commentary during a meeting which could disrupt the meeting.

A reasonable number of copies of agendas shall be available from the Clerk to the public attending meetings.

Minutes of meetings shall be available free to the public on application to the Clerk. Bulk and multiple applications may be subject to a copying charge.

A summary of agreed issues will be forwarded to the Parish Magazine following the meeting in order to meet copy deadlines of each issue. These should not compromise the Council's need to withhold formal confirmation of any minutes until the following month.

The Council shall endeavour to make public all activities and keep all notices up to date.

All notices shall carry contact details for further information.

Applications under the Freedom of Information Act should be addressed to the Clerk.

Applications for personal information under the Data Protection Act should be addressed to the Clerk.

21. PAY AND CONDITIONS OF STAFF

The Council has one paid member of staff: this is the Clerk. Pay and terms of employment conditions will be reviewed annually as part of annual budgeting. The Clerk may be asked to not take part in this part of the review. Any changes to these terms and conditions must be proposed to the Council for consideration at the next meeting.

22. FINANCE (RESPONSIBLE FINANCE OFFICER)

The Responsible Finance Officer (RFO) is a statutory office and appointed by the Council. The duties of the RFO are to ensure that the Council's financial records and activities comply with the 'proper practices' referred to in the Accounts and Audit regulations as set out in the NALC/ALCA document 'Governance and Accountability for Local Councils, A Practitioner's Guide 2008'. The Clerk of the Council will take on this role of managing the Council's financial affairs in accordance with Proper Practices. The procedures to be followed are detailed separately in the Council's Financial Regulations.

23. 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.

24. CODE OF CONDUCT

DECLARATION OF INTEREST AT MEETINGS

Where a matter arises at a meeting which relates to an interest as laid down in the approved Code of Conduct a member shall not participate in a discussion or vote on the matter. The member will be required to leave the room whilst the matter is discussed.

25. REVIEW OF COUNCIL PROPERTY AND INTERESTS

At least annually the Council shall review the physical condition of all its assets and interests, and consider their need for repairs, maintenance or replacement. Such items would include computer equipment, street furniture (seats, benches), commemorative trees, village pump.

NB Any queries regarding GDPR compliance is referred to in the Councils Privacy Notice