



# PUCKLECHURCH PARISH COUNCIL

## Pucklechurch Parish Council Standing Orders

### **1. Councillors**

- i.** Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct, Standing Orders and Financial Regulations 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.
- ii.** 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.
- iii.** 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.
- iv.** All Councillors must adhere to legislation relating to Disclosable Pecuniary Interests (DPI) in particular the requirements of the Localism Act 2011 (SS 29-34) and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.
- v.** Dispensation requests shall be in writing and submitted to the Clerk as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- vi.** A Councillor has a right to attend every meeting but can be excluded for disruptive behaviour

### **2. Annual Parish Council Meetings**

- i.** 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.
- ii.** If no other time is fixed, the annual meeting of the Council shall take place at 7.30 pm.
- iii.** 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



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receive their acceptance of office. Following the election of the Chairman of the Council and Vice -Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows:

- a. In an election year, delivery by Councillors of their declarations of acceptance of office.
- b. Confirmation of the accuracy of the minutes of the last meeting of the Council and (if relevant) to receive and note minutes of and/or to determine recommendations made by committees.
- c. Review and adoption of appropriate standing orders and financial regulations.
- d. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
- e. Review of the Council's Working Groups and Memberships of other bodies.
- f. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead (as far as possible).
- g. In an election year, if the current Chairman of the Council has not been re- elected as a member of the council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.

### 3. Meetings

- i. 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.
- ii. An agreed frequency of meetings will be decided at the Annual Meeting comprising at least three ordinary meetings in addition to the annual meeting.
- iii. Councillors can chose whether to be advised of the meetings by the issue of a summons and agenda delivered by post, by hand or by email
- iv. Meetings may also be called by the Chairman alone and if refused, by any two Councillors. If and when this happens the normal notice period, summons and agenda will apply and the agenda must specify the business and be signed by those calling the meeting.
- v. Notice of a Parish Council meeting, which will include the agenda, 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



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notice will be posted at least three clear working days excluding Sundays, Bank Holidays and the day it was issued, before the meeting.

- vi. The meetings of the Council (and its committees) must be open to the public (which includes the press) pursuant to the provisions of S1.1 of the 1960 Act. However the public may, under S.1.(2) of the Act, be excluded for the whole or part of a meeting if it resolves that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for any other special reason stated in the resolution. It is not lawful to exclude some of the public or press; the exclusions must apply to all. However the Council may invite individuals to speak at a meeting (e.g. the Council's solicitor or other professional advisor or particular staff members) when it is in private session.
- vii. As per the Openness of Local Government Bodies Regulations 2014 filming and recording is permitted as per the Council's Recording and Reporting Policy (pending)
- viii. The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- ix. Members of the public may speak at Council meetings at the discretion of the Chairman of the meeting for no longer than five minutes per person and at a prescribed point in the agenda (Public Participation)
- x. Members of the public may take no other part in the meeting unless invited to do so by the Chairman.
- xi. Questions asked by a member of the public during a public participation session at a meeting shall not require a response or debate at that meeting.
- xii. 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.
- xiii. 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 unless section 12.3 of this Standing Order is instigated.
- xiv. 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. Anything authorised or required to be



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done by, to, or before the Chairman of the Council, may, in his absence, be done by, to or before the Vice-Chairman (or whoever has been elected as Chairman of a meeting) of the Council (if any).

- xv. 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.
- xvi. 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.
- xvii. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.
- xviii. Resolutions (decisions) of the Council will be decided by a majority vote.
- xix. Voting at the meeting shall be by a show of hands unless a majority of Councillors want a ballot. Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted.
- xx. 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.
- xxi. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.
- xxii. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence.
- xxiii. The minutes of a meeting shall record the names of Councillors present, apologies for absence received, and whether those apologies were accepted by the Council.
- xxiv. 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.
- xxv. With regard to planning applications - if there is a Disclosable Pecuniary Interest, a statement can be made to the Parish Council meeting, but then the person must leave the meeting while discussions take place.



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### **4. Risk Assessment**

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

### **5. Freedom of Information**

- i. The Council is subject to the Freedom of Information Act 2000 and has adopted a 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.

### **6. Clerk to the Council**

- i. 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.
- ii. The Clerk will act as the Proper Officer of the Council, and he/she will:
  - a. at least three clear days before a meeting of the Council, a committee and a sub-committee serve on Councillors, by delivery, post at their residences, or by email, a signed summons confirming the time, place and the agenda;
  - b. give public notice of the time, place and agenda at least three clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);
  - c. convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
  - d. receive the Declarations of Acceptance of Office and notices disclosing interests;
  - e. sign documents on behalf of the Council and issue agendas and notices of meetings;



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- f. receive and distribute plans and documents on behalf of the Council;
  - g. advise the bank of changes to mandates with the bank;
  - h. receive and retain copies of byelaws made by other local authorities.
- iii. The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer and any other employees of the Council.
- iv. All employees of the Council are covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters.
- v. All employees will 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.
- vi. The Clerk shall 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.
- vii. Should the Clerk be indisposed and unable to perform their duties for whatever reason then the Council will make suitable arrangements for the Clerk's responsibilities to be acquitted, this could include the employment of a locum.

### **7. Execution and sealing of legal deeds**

- i. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution
- ii. Subject to standing order 7i above, any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

### **8. Committees and Working groups**

- i. The Council from time to time may set up sub committees and working groups to undertake work on behalf of the Council. The Council will set their Terms of Reference, (including the involvement of non-Councillors in working groups) and they will both report directly to the Council.



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### 9. Emergency Business

- i. 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.

### 10. Alteration or Reversal of previous decisions

- i. 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.

### 11. Public Consultation

The Council will from time to time need to undertake public Consultation on projects it is pursuing and will do so in accordance with the following checklist:

#### **Organisational Needs**

- a. Is there a shared understanding of what you want to achieve through engagement?
- b. Are you clear about what information you are seeking and how you or the community will use it?
- c. Do you know who you need to engage with?
- d. Who will take responsibility for directing the engagement process?
- e. What is the projected timescale for engagement?

#### **Public needs**

- a. Has the decision already been taken? Is there really an opportunity for the public or stakeholders to influence the decision?
- b. Are you trying to ensure that what you are planning, commissioning or providing meets the public's needs and preferences?
- c. How are you going to explain to participants why they are being consulted and what their answers will be used for?
- d. Do you know how you will feed back to the community?
- e. Are you trying to give all stakeholders an understanding of what is negotiable and open to change and what is not? How will you set realistic expectations?
- f. Do you have relevant information on the engagement processes that is readily accessible to all members of the community?



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### 11. Standing Orders

- i. 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.
- ii. 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 County organisation which in this case is Avon Local Council Association.
- iii. The Council may resolve to suspend a Standing Order where appropriate, 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.

The Standing Orders were formally adopted by the Parish Council at a meeting of the Council held on	Wednesday 20 <sup>th</sup> May 2015 Agenda item 10e	
Reviewed	Wednesday 18 <sup>th</sup> May 2016 Agenda item 2b	