



**B**ramhope  
& Carlton  
Parish Council



**Bramhope & Carlton Parish Council**

**Standing Orders**

**Revised 28<sup>th</sup> November 2019**

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## DEFINITIONS AND INTERPRETATION

<b><i>Annual Meeting of the Council</i></b>	The required Annual Meeting of the Parish Council to elect the Chairman, Vice Chairman, Responsible Financial Officer, Internal Auditor and any other posts that the Council resolves to establish
<b><i>Annual Parish Meeting</i></b>	Meeting called and addressed by the Chairman to review and report on the activities of the Parish Council over the financial year
<b><i>Masculine/feminine pronoun</i></b>	In these Standing Orders, whenever a masculine pronoun is used a feminine pronoun shall be substituted if and when applicable

## **1. ANNUAL MEETINGS**

The Annual Parish Meeting to report to the parishioners by the Chairman should be held the same or near the same day as the Annual Meeting.

The Annual Meetings of the Council shall be held on the 20<sup>th</sup> day in May or within 14 days thereof, except in a year of ordinary elections when the annual meeting shall be held within 14 days of the Councillors taking office.

## **2. FULL COUNCIL MEETINGS**

Full Council Meetings shall be held monthly, normally the fourth Wednesday of the month, except the months of December, or as and when convened by the Chairman. *NB : There is an obligation imposed by Schedule 12 of the Local Government Act 1972, as amended by the Local Government Act 2000, whereby Parish Councils shall hold a minimum four meetings per annum in addition to the Annual Meeting.*

## **3. CONVENING MEETINGS**

- (a) The Chairman of the Council may call a meeting at any time.
- (b) Any two members of the Council may ask the Chairman to call a meeting by presenting him with a requisition for that purpose; if the Chairman refuses to call a meeting, or without refusing does not call a meeting within seven days of receiving such requisition, the two members of the Council may, on that refusal or on the expiration of those seven days, forthwith convene a meeting of the Council
- (c) Three clear days at least before a meeting of the Council :
  - (i) notice of the time and place of the intended meeting shall be affixed in some conspicuous place in the Parish, and where the meeting is called by members of the Council, the notice shall be signed by those members and shall specify the business proposed to be transacted thereat;
  - (ii) a summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Clerk to the Council shall be left at, e-mailed or sent by post to the usual place of residence of every member of the Full Council. Provided that want of service of the summons on any member of the Council shall not affect the validity of a meeting.
- (d) Seven clear days at least before the Annual Parish Meeting :
  - (i) notice of the time and place of the intended meeting shall be affixed in some conspicuous place in the Parish and signed by the Chairman;
  - (ii) a summons to attend the meeting, specifying the only business to be transacted thereat and signed by the Chairman shall be left at, e-mailed or sent by post to the usual place of residence of every member of the Full Council. Provided that want of service of the summons on any member of the Council shall not affect the validity of a meeting.

## **4. QUORUM : FULL COUNCIL**

No business shall be transacted at a meeting of the Full Council unless at least one-third of the whole number of members of the Full Council at present thereat. Provided that in no case shall the quorum be less than three members.

## **5. DECISION ON QUESTIONS**

- (a) All acts of the Council, Committees and Sub-committees and all questions coming or arising before the Council, Committees and Sub-committees shall be done and decided by a majority of the members of the Council, Committees and Sub-committees present and voting thereon at a meeting of the Council, Committees and Sub-committees
- (b) In the case of an equality of votes, the Chairman or the person presiding shall have a second or a casting vote.

## **6. MODE OF VOTING**

The mode of voting of the Council, Committee and Sub-committee meetings shall be by show of hands and on the requisition of any member of the Council the voting on any question shall be recorded by the Clerk or minute-taker so as to show whether each member present voted for, against or abstained from that question.

## **7. CHAIRMAN AND VICE-CHAIRMAN**

- (a) The Chairman of the Council shall be elected annually by the Council from among the Councillors of the Parish.
- (b) The election of the Chairman of the Council shall be the first business transacted at the Annual Meeting of the Council.
- (c) The Chairman shall, unless he resigns or ceases to be qualified or becomes disqualified, hold office until his successor is elected.
- (d) The Council shall appoint a member of the Council to be Vice-Chairman of the Council.
- (e) 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, he may not give an original vote in an election for a Chairman.
- (f) If a member of the Council is not present at the Annual Meeting then whilst he or she cannot propose themselves directly to be the chairman for the forthcoming year any of the other councillors present can propose that the absent councillor be the chairman and for the Council to vote that absent councillor into the office of chairman. In his or her absence the Council will be required to agree that the individual concerned sign their declaration of acceptance of the office of chairman form at a later date. If that form was not signed by that date then further to Section 83(4) of the Local Government Act 1972 the office of chairman would fall vacant.

## **8. CHAIRMAN OF MEETINGS**

- (a) At an Annual Parish, Annual and Full Council Meeting the Chairman of the Council, if present, shall preside.
- (b) If the Chairman is absent from an Annual Parish, Annual or Full Council meeting the Vice-Chairman, if present, shall preside.
- (c) If both the Chairman and Vice-Chairman of the Council are absent from an Annual Parish, Annual or Full Council Meeting, the members present shall choose one of their number to preside.
- (d) Any power or duty assigned to the Chairman of the Council in relation to the conduct of a meeting may be exercised by the person presiding at a meeting.

## **9. PROPER OFFICER**

- (a) The Proper Officer shall be either (i) the Clerk or (ii) other staff members(s) nominated by the council to undertake the work of the Proper Officer as provided by the Local Government Act 1972 when the Proper Officer is absent.
- (b) The Proper Officer shall:
  - At least 3 least days before a meeting of the council, a committee or a sub-committee serve on councillors a summons, by email, confirming the time, place and agenda provided any such email contains the electronic signature and title of the Proper Officer.
  - i) 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);
  - ii) Convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
  - iii) Receive and retain copies of byelaws made by other local authorities;

- iv) Retain acceptance of office forms from Councillors
- v) Retain a copy of every councillor's register of interests;
- vi) Assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Legislation, in accordance with and subject to the council's policies and procedures relating to the same;

Duties and delegations for the Clerk are outlined in Appendix C.

## **10. MINUTES**

- (a) Minutes of the proceedings of a meeting of the Council, or a Committee thereof, shall be drawn up and entered in a book kept for that purpose, and shall be signed at the next ensuing meeting of the Council or Committee, as the case may be, by the person thereat, and any minute purporting to be so signed shall be received in evidence without further proof.
- (b) Until the contrary is proved, a meeting of the Council, Committee or Sub-committee thereof in respect of the proceedings whereof a minute has been so made and signed shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are the proceedings of a Committee or Sub-committee, the Committee or Sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.
- (c) All minutes of the proceedings of the Council shall be open for inspection by any member of the Council, and by any member of the public during reasonable hours. Copies of minutes are available to the general public on the website.

## **11. NAMES OF MEMBERS PRESENT TO BE RECORDED**

The names of the members present at a meeting of the Full Council, Committees and Sub-committees shall be recorded.

## **12. VACANCIES ETC NOT TO INVALIDATE PROCEEDINGS**

The proceedings of the Full Council, Committee or a Sub-committee thereof shall not be invalidated by any vacancy among its number, nor by any defect in the election or qualification of any member thereof.

## **13. ANNUAL MEETING ORDER OF BUSINESS**

- (a) The first business at the Annual Meeting shall be the election of the Chairman of the Council.
- (b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
- (c) In the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- (d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
- (e) The next business at the Annual Meeting shall be the election of a Vice-Chairman.
- (f) Following the election of a new Councillor or Council following an election, each member shall sign the Council's declaration form as proscribed by the Local Authority (Model Code of Conduct) (England) (Order 2001).
- g) To conduct the remaining order of business as described in Section 14 (b to j) Review of delegation arrangements to committees, sub-committees, staff and other local authorities
- (h) Review of the terms of reference for committees;
- (i) Appointment of members to existing committees;
- (j) Appointment of any new committees in accordance with standing order 27 below;
- (k) Review of representation on or work with external bodies and arrangements for reporting back;

- (l) Review of inventory of land and assets including buildings and office equipment;
- (m) Confirmation of arrangements for insurance cover in respect of all insured risks;
- (n) Review of the council's and/or staff subscriptions to other bodies;
- (o) Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

## **14. FULL PARISH COUNCIL MEETING ORDER OF BUSINESS**

Except where the Council, on the grounds of urgency, varies the order of business, the order of business at every meeting of the Full Council shall be :

- (a) To choose a person to preside if the Chairman or Vice-Chairman be absent;
- (b) After consideration, to approve the signing of the Minutes by the person presiding as a correct record;
- (c) To deal with business expressly required by statute to be done;
- (d) To dispose of business, if any, remaining from the last meeting, or arising out of the Minutes;
- (e) To consider all correspondence addressed to the Clerk or to any member of the Council;
- (f) To receive and consider reports from officers of the Council, Committees and of Sub-committees;
- (g) To authorise payments or approve a "Statement of Accounts for Payments" from a Committee or a Sub-committee appointed to have these delegated powers;
- (h) To consider notices of motion in the order which they have been received;
- (i) Any other business specified in the summons to the meeting.
- (j) The Council may at any meeting vary the order of business so as to give precedence to any business which, in the opinion of the Chairman, is of special urgency, but such business shall not displace business falling under items (a) and (b) of this order.

## **15. NOTICE OF MOTION**

A notice of motion shall be in writing signed by the member(s) of the Council and Committees, but not Working Party, giving the notice, and delivered at least seven clear days before the next meeting of the Full Council and Committees, to the Clerk of the Council, by whom it shall be dated, numbered in the order in which it is received, and entered in a book which shall be open for the inspection of every member.

The Clerk of the Council shall insert in the summons for every meeting of the Full Council and Committees, notices of motion duly given in the order in which they have been received, unless the member giving such notice has, when giving it, intimated in writing that he proposed to move it some time later, or has withdrawn it in writing.

If a motion, notice of which is thus specified in the summons, is not moved, it shall, unless postponed by consent of the Council or Committees, be treated as abandoned and shall not be moved without fresh notice.

## **16. MOTIONS WHICH MAY BE MOVED WITHOUT NOTICE**

- (a) Appointment of a Chairman of the meeting at which the motion is made.
- (b) Motions relating to business under discussion.
- (c) Motions relating to the accuracy of the minutes, closure, adjournment, order of business, or next business.
- (d) Reference to a Committee, Sub-committees or Working Party.
- (e) That the Council does resolve itself into a Committee.
- (f) That leave be given to withdraw a motion.
- (g) Suspending Standing Orders.
- (h) Excluding the press.
- (i) Excluding the public.

- (j) That a member be no longer heard.
- (k) Inviting a member to remain.
- (l) Giving consent of the Council where the consent of the Council is required by these Standing Orders.

## 17. RULES OF DEBATE

A motion or an amendment shall not be discussed during Full Council or Committee meetings unless :

- (a) It has been proposed and seconded, and if required by the Chairman, been reduced to writing and handed to the Chairman before it is further discussed or put to the meeting (unless notice has already been given in accordance with Standing Order 15).
- (b) If two or more members desire to speak, the Chairman shall decide the order of speaking.
- (c) An amendment shall be either:
  - (i) To leave out words or;
  - (ii) To leave out words and insert others, or;
  - (iii) To insert or add words.
- (d) If an amendment be rejected, another amendment may be moved on the original motion.
- (e) If an amendment be carried, the motion as amended shall take the place of the original motion on which any further amendment may be moved.
- (f) A further amendment shall not be moved until the Council or Committee shall have disposed of the amendment previously moved.
- (g) A member may, at the conclusion of a speech of another member, move without comment "that the question be now put", that the "debate be now adjourned", "that the Council or Committee does now adjourn", on the seconding of which the Chairman, if in his opinion the question before the meeting has been sufficiently discussed, shall put that to the vote, or the subject of debate shall be deemed to be disposed of for that day, or the meeting shall be adjourned, as the case may be.
- (h) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be open to discussion. Whenever the Chairman speaks or rises to speak during a debate, a member then speaking or standing shall resume his seat, and the Council or Committee shall be silent. Any motion or amendment may be withdrawn by the proposer with the concurrence of the seconder and the consent of the Council or Committee, and it shall not be in order for any member to speak upon it if permission to withdraw has been granted.

## 18. DISORDERLY CONDUCT

### (a) Councillors

If at a meeting any member of the Council, Committee, Sub-committee or Working Party, in the opinion of the Chairman notified to the Council, Committee, Sub-committee or Working Party misconducts himself by persistently disregarding the ruling of the Chair, or behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Council, Committee, Sub-committee or Working Group it shall be competent for a member to move "that the member named do leave the meeting" and the motion, if seconded, shall be put and determined without discussion. If upon such motion being carried, the offending member refuses to leave the meeting, the Chairman shall give directions for the removal of the offending member. In such event the Chairman may, at his discretion, suspend the meeting for a specified period of time whilst the member is removed. Such suspension, including the time of suspension and restart shall be recorded in the minutes, where appropriate.

### (b) Members of the Public or Press

If at a meeting any member of the public or Press, in the opinion of the Chairman notified to the Council, Committee or Sub-committee misconducts himself by persistently disregarding the ruling of the Chair, or behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Council, Committee or Sub-committee it shall be competent for a member to move "that the member named do leave the meeting" and the motion, if seconded, shall be put and determined without discussion. If upon such motion being carried, the offending member of the public or Press refuses to leave the meeting, the Chairman shall give directions for the removal of the offending person. In such event the Chairman may,



at his discretion, suspend the meeting for a specified period of time whilst the person is removed. Such suspension, including the time of suspension and restart shall be recorded in the minutes, where appropriate.

## **19. RIGHT OF REPLY**

The proposer of a motion or resolution, in Council or Committee meetings, but not of any amendment, shall have the right to reply upon such matter, immediately before it is put to the vote.

## **20. ALTERATION OF MOTION**

A member may, with the consent of his seconder and of the Council or Committee, signified without discussion, alter a motion which he has proposed or of which notice has been given if the alteration is one which could have been moved as an amendment thereto.

## **21. RESCISSION OF PRECEDING RESOLUTION**

No motion to rescind any resolution passed within the preceding six months and no motion or amendment to the same effect as one which has been negative within the preceding six months, shall be proposed unless the notice thereof given in pursuance of Standing Order No. 15 bears the name of at least two-thirds of the members of the Council. When any such motion has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months.

This order shall not apply to motions in pursuance of the report or recommendations of a Committee of the Council.

## **22. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

The public and press shall be admitted to meetings of the Council and its Committees, which may, however, temporarily exclude the Public and Press by means of the following resolution :

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

The public and press shall be admitted to meetings of the Council and its Committees so far as there is accommodation.

If any member of the public or press interrupts the meeting, the Chairman of that meeting may, after warning, order that person's removal from the Council room in accordance with Standing Order 18 (b).

- (a) The period of time designated for public participation at a meeting in accordance with standing order 22 above shall not exceed 20 minutes unless directed by the chairman of the meeting.
- (b) Subject to standing order 22(a) above, a member of the public shall not speak for more than 5 minutes. This may be varied at the Chairman's discretion.
- (c) Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- (d) In accordance with standing order 22(c) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.

## **23 MOTIONS AFFECTING PERSONS EMPLOYED BY THE COUNCIL**

If any question arises at a meeting of the Council, Committee, Sub-committee or Working Group as to the appointment, promotion, dismissal, salary or conditions of service, or as to the conduct of any person employed by the Council, Committee, Sub-committee or Working Group, it should be considered by the Council with the press and public excluded in accordance with Standing Order 22.

## **24. INTEREST OF MEMBERS : CODE OF CONDUCT (ENGLAND)**

- (a) If a member has a personal interest as defined by Bramhope and Carlton Code of Conduct as adopted November 2012 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required. If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.
- (b) The Clerk to the Council is required to compile and hold a Register of Members' Interests by agreement with the Council's Monitoring Officer of the Responsible Authority.
- (c) If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk to the Council. A candidate who fails so to do shall be disqualified for such appointment, and if appointed, may be dismissed without notice. The Clerk to the Council shall report to the Council or to the appropriate Committee any such disclosure. Where the relationship to a member is disclosed, this Standing Order shall apply. The Clerk to the Council shall make known the purpose of this Standing Order to every candidate.

## **25. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- (a) Canvassing of members of the Council, Committee, sub-committee or of any Working Party, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk to the Council shall make known the purpose of this sub-paragraph of this Standing Order to every candidate.
- (b) A member of the Council, Committee, sub-committee or of any Working Party, shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

## **26. APPOINTMENT OF COMMITTEES & SUB-COMMITTEES & WORKING GROUPS**

The Full Council shall, at the Annual Meeting, appoint such statutory and other Committees, Sub-committees and Working Groups as are necessary to carry out the work of the Council 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 of the Council;
- (b) May appoint persons other than members of the Council to any Working Group; and
- (c) May, subject to the provision of Order 19 above, at any time dissolve or alter the membership of a Committee, Sub-committee or Working Group.

## **27. COMMITTEES AND SUB-COMMITTEES**

- (a) Three members of any Standing Committee shall form a quorum;
- (b) The Chairman and Vice-Chairman of the Council shall be ex-officio a member of every Standing Committee;
- (c) The Chairman and Vice-Chairman of the Council have the right to attend any Standing Committee meeting, if they choose to do so, as an ex-officio member and will be invited by the Clerk;
- (d) The Chairman and Vice-Chairman of the Council attending meetings in the capacity of an ex-officio member of a Standing Committee will have the right to vote;
- (e) Every Committee shall, at its first meeting, before proceeding to any other business, elect a Chairman, who shall hold office until the next Annual Meeting of the Council and in his absence from any meeting of the Committee, the members present shall elect a Chairman for that particular occasion;
- (f) In the case of an equality of votes at any meeting of a Committee, the Chairman for the time being shall have a second or casting vote.

- (g) The proceedings of all Committee meetings shall be duly recorded in a minutes book. The minutes will be proposed and seconded by a member of that Committee at the next available opportunity at a Full Parish Council meeting, and certified as correct by signature of the Chairman of the Parish Council;

The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;
  - ii. the names of councillors present and absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - v. if there was a public participation session; and
  - vi. the resolutions made.
- (h) 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 three members of the Committee. The summons shall set out the business at the special meeting and no other business shall be transacted at that meeting. Three days clear notice shall be given of any such meetings;
- (j) The ordinary meetings of a Committee shall be held at such times as the Committee may from time to time appoint and at least three clear days notice shall be given to each member of every such meeting;
- (k) Standing Orders numbered 15 and 26 above shall also apply to Committee and Sub-committee Meetings.

## **28. WORKING GROUP**

- (a) The Council, Committee or Sub-committee may create Working Groups;
- (b) The Council, Committee or any Sub-committee shall inform the members of each Advisory group of the terms of reference of the group;
- (c) A Working Group may make recommendations and give notice thereof to the Council, Committee or Sub-committee to which it reports;
- (d) The Chairman and Vice Chairman of the Council shall be ex-officio members of each Working Group.
- (e) Standing Orders numbered 27 (c) and 27 (d) shall also apply to ex officio members of Working Group Meetings.
- (f) A Working Group may consist wholly of persons who are not members of the Council;
- (g) A Working Group shall not be required to take or publish minutes of Meetings.
- (h) A Working Group shall not have any powers of expenditure or to commit the Council to any works, services, goods or expenditure.

## **29. ACCOUNTS AND FINANCIAL STATEMENT**

- (a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council;
- (b) Where it is necessary to make a payment before it has been authorised before the Council, such payment shall be certified as to its correctness and urgency by the Clerk. Such payment shall be authorised for payment by the Clerk, the Chairman and/or Vice-Chairman and/or one other full Parish Council Member. In the absence of both Chairman and Vice-Chairman two other Full Parish Council Members will authorise the payment.
- (c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule laid before the Council;
- (d) Every electronic banking payment shall be created by the Clerk, or the Councillor nominated to raise payments in the Clerk's absence, and authorised on-line by two full Parish Council Members and the monthly payment schedule will be signed by the signatories.

- (e) A cheque or other order for payment of money by the Council shall be signed by three members of the Council or two members and the Clerk. Counterfoils (stubs) shall also be initialled by the cheque signatories;
- (e) The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of September;
- (f) Any Committee or Sub-Committee desiring (and empowered) to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than November of the preceding year.
- (g) The Council may at any meeting authorise the Clerk to incur exceptional expenditure up to the maximum of the current limit in accordance with the Clerk's agreed delegated powers. See Appendix B

### **30. FINANCIAL CONTROLS AND PROCUREMENT**

- a The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
  - v. Where it is intended to enter into a contract exceeding £2500 but not exceeding £10,000 in value for the supply of goods or materials or for the execution of works, the Clerk, where possible shall obtain three quotes;
  - vi. Where the value of the intended contract exceeds £10,000 but not exceeding £15,000 the Clerk, where possible shall obtain at three quotes and notices inviting quotations shall be posted on the Parish Council notice boards for a reasonable period before any contract is entered into;
  - vii. Where the value of the intended contract exceeds £15,000, notices inviting tenders shall be posted on the Parish Council notice boards, website and an advert placed in one or more local newspaper which shall state the general nature of the intended contract, the name and address of the person to whom tenders are to be addressed, and the last date by which those tenders should reach that person;
  - viii. Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
    - A specification for the goods, materials, services or the execution of works shall be drawn up;
    - an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
    - the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
    - tenders are to be submitted in writing in a sealed marked envelope addressed to the Clerk;

- Tenders shall be opened by the Clerk in the presence of the Chairman, Vice-Chairman or one other full Parish Council Member;
  - tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
  - Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
  - 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 thinks fit;
- (b) In respect of annual contracts the Council reserves the right to agree a 3 year contract or to extend an annual contract with an existing contractor for a period of three years in cases where the existing contractor represents best value for the Parish Council and the delegated Committee (if applicable) or Full Parish Council agree.
- (c) Any Committee or Sub-committee within its remit and budget may invite quotations and place orders for works/services up to a value set by the Full Council, subject to a subsequent report to the next meeting of the Full Council for ratification. See Appendix B
- (d) Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

### **31. CONFIDENTIAL BUSINESS**

- (a) No member of the Council or of any Committee, Sub-Committee or Working Party shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the Committee, Sub-Committee or Working Party 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, Sub-Committee or Working Party of the Council by the Council.

### **32. LEGAL DOCUMENTS**

All deeds, instruments and writings shall be executed at a meeting of the Council, and under the hand or hands and seals of the Chairman and two other members of the Council. The resolution relating to each shall be entered by the Clerk in the minute book of the Council.

### **33. CUSTODY OF COUNCIL BOOKS, DEEDS AND PAPERS**

The Clerk shall have charge of all books, deeds and papers belonging to the Council, and they shall not be removed from their custody without sanction of the Council.

### **34. REQUESTS FOR INFORMATION**

- a) Requests for information held by the council shall be handles in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000
- b) Correspondence from, and notices served by The Information Commissioner shall be referred by the Proper Officer to the Chairman. The council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

### **35. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

- (a) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- (b) The Council shall have a written policy in place for responding to and managing a personal data breach.

- (c) The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- (d) The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- (e) The Council shall maintain a written record of its processing activities.

### **35. RELATIONS WITH THE PRESS/MEDIA**

Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

### **36. INSPECTION OF LANDS**

Only a member of the Council authorised to do so by the Council, Committee, Sub-Committee or Working Party may inspect any lands or premises which the Council has the right or duty to inspect, or enter upon or issue any order respecting any works which are being carried out by or on behalf of the Council.

### **37. VARIATION AND REVOCATION**

Any motion to vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

### **38. SUSPENSION OF STANDING ORDERS**

All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting with the consent of a three-quarter majority of the Full Council present (i.e. 10 Councillors)

### **39. COPY OF STANDING ORDERS**

A copy of these Standing Orders shall be supplied to each member of the Council and to the Clerk to the Council.

### **40. REVIEW OF POLICIES**

A review of all policies will take place on an annual basis by the relevant committee, sub-committee or working party. Any amendments to policies will be presented to the next Full Parish Council for agreement.

## **APPENDIX A**

### **COMMITTEES & WORKING GROUPS - TERMS OF REFERENCE**

**The following Terms of Reference apply to each of the Committees and Working Groups established by Full Council under Items 27 and 28 of these Standing Orders.**

#### **Planning Committee**

1. Duties
  - (a) To review all planning applications, make decisions on behalf of the Full Council and submit recommendations to Leeds City Council.
  - (b) To identify applications with major implications for the village and arrange for the earliest presentation of the application to the Full Council for their decision.
  - (c) To monitor ongoing development & liaison with the Planning Officers and/or Planning Panel as appropriate
  - (d) To monitor all enforcement issues with Leeds City Council
  - (e) To monitor any relevant strategic planning issues, proposals and consultation exercises emanating from Local & Central Government, the Region and other external sources.
  - (f) To review/promote the Village Design Statement.
  - (g) To manage the objectives of the Conservation Area Advisory Group.
  - (h) To produce that element of the Parish Council's Village Plan relating to Planning Matters, Conservation Area and the Village Design Statement.
- 2 Powers
  - (a) A Planning Group meeting should not make decisions without a minimum of three Councillors being present or two with a third Councillor submitting his voting decision on each application to the Clerk within one day of the meeting.
  - (b) Councillors may not meet planning applicants outside of the Planning Meeting without first informing the Clerk to the Council plus the Full Council Chairman and Vice Chairman, in writing, either electronically or by letter.
  - (c) Membership of the Planning & Enforcement Committee must comply with Standing Order 26
  - (d) The Planning Group does not have a delegated Budget.
  - (e) For Planning Applications relating to Trees only – The Clerk has delegated power to comment on Planning Applications relating to trees. The Clerk will seek advice on a case by case basis, from members of the Planning Committee, prior to submitting a comment.

#### **Village Maintenance Committee**

1. Duties
  - (a) To review the village maintenance work schedule and prioritisation & allocation of all new projects
  - (b) To oversee the work of the village caretaker, temporary seasonal assistance and all preferred contractors
  - (c) To overview & manage all Parish Council owned land and properties
  - (d) To liaise with Leeds City Council for cleaning, sweeping & grass cutting.
  - (e) To oversee the work of any cleaning personnel or contractor services required in addition to those services provided by Leeds City Council.
  - (f) To manage the annual grass-cutting contracts for the Parish Council's properties.
  - (g) To liaise with the Village in Bloom group and resident volunteers.
  - (h) To produce that element of the Parish Council's Village Plan relating to the environment.
- 2 Powers
  - (a) The Village Maintenance Committee cannot authorise major works over the current sum authorised by the Full Council; or works that would have a substantial visible impact, in a sensitive

area of the village, without a detailed presentation for authorisation by the Full Council, for either the expenditure or the sensitive works.

- (b) Membership of the Village Maintenance Committee must comply with Standing Order 26.
- (c) The Village Maintenance Committee will have an authorised budgetary spend for any one item in a month with an overall sum in any one month unless authorised by the Full Council to expend a larger sum on an authorised project. These two sums will be the current authorisation set by the Full Council. See Appendix B

## **Communications Working Party**

### 1. Duties

- (a) To manage the Communications strategy as presented to and agreed by the Full Council.
- (b) To co-ordinate and produce the publication of the Parish Newsletter
- (c) To liaise with the other village-based groups & organisations either directly or through the nominated Parish Council representatives
- (d) To oversee the delivery of all web-based communications and the development of the website as presented to and agreed by the Full Council.
- (e) To ensure the accuracy of the content and that nothing appears either in the Newsletter or on the Website that could involve the Parish Council in legal disputes or bring its reputation into disrepute.

### 2. Powers

- (a) The Communications Working Party cannot authorise substantial changes to the Newsletter or Website without a detailed presentation for authorisation by the Full Council for either additional expenditure or the proposed changes.
- (b) Before the Newsletter goes to print the final draft should be read and signed off by the Chairman of the Communications Group or in his absence the Chairman or Vice Chairman of the Full Council.
- (c) The Communications Working Party is not directly responsible for press relations & publicity but will liaise with the nominated people as agreed by the Parish Council.
- (d) Membership of the Communications Working Party must comply with Standing Order 26.
- (e) The Communications Working Party expenditure for the Newsletters and Website will be subject to approval by Full Council.

## **Finance Working Group**

### 1. Duties

- (a) To review the budget & expenditure
- (b) To monitor budgets devolved to Sub committees once approved by the Full Council
- (c) To collate 'bids' in preparation of the annual precept
- (d) To recommend a precept to Full Council
- (e) To review, rents & fees and make recommendations to Full Council
- (e) To review all applications for Community Grants and make recommendations to Full Council
- (f) To review and report on financial matter as may be delegated by the Full Council

### 2. Powers

- (a) The Finance Working Group can only recommend a precept or other financial matters as all financial matters must be approved and sanctioned by the Full Council.
- (b) The Finance Group cannot authorise any expenditure either on behalf of the Full Council, Committee, Sub-Committee, or Working Group
- (c) Membership of the Finance Working Group must comply with Standing Order 26.
- (d) The Finance Working Group does not have a delegated Budget.



## **Cemetery Working Group**

1. Duties
  - (a) To review cemetery fees and make recommendations to Full Council
  - (b) To review maintenance of the Cemetery and make recommendations to VMC
  - (c) To undertake and monitor progress on projects relating to the cemetery
2. Powers
  - (a) The Cemetery Working Group can only make recommendations regarding Cemetery income & expenditure as financial matters must be approved and sanctioned by the Full Council.
  - (b) The Cemetery Working Group cannot authorise any expenditure either on behalf of the Full Council, Committee, Sub-Committee, or Working Group
  - (c) Membership of the Cemetery Working Group must comply with Standing Order 26.
  - (d) The Cemetery Working Group does not have a delegated Budget.

## **Personnel Working Group**

1. Duties
  - (a) To review staffing structures and levels and make recommendations to Full Council
  - (b) To agree and review annually contracts of employment, job descriptions and person specifications for staff.
  - (c) To review staff salaries and terms of conditions and make recommendations to the Full Council regarding changes within the salary banding structure.
  - (d) To appoint from its membership a recruitment panel when necessary and agree appointments to the post which will include making an offer of employment to the successful candidate and following up on references. Recruitment panels will include three members in the case of appointment to any Parish positions.
  - (e) To act as a disciplinary or grievance panel.
  - (f) To review health & safety at work for all Council employees and implement any agreed changes including equipment.
  - (g) To review all Council policies that relate to staff employment on an annual basis.
  - (h) To ensure the Council complies with all legislative requirements relating to the employment of staff.
2. Powers
  - (a) The Personnel Working Group can only make recommendations regarding expenditure as financial matters must be approved and sanctioned by the Full Council.
  - (b) The Personnel Working Group cannot authorise any expenditure either on behalf of the Full Council, Committee, Sub-Committee, or Working Group
  - (c) Membership of the Personnel Working Group must comply with Standing Order 26.
  - (d) The Personnel Working Group does not have a delegated Budget.

## **Playground Working Group**

1. Duties
  - (a) To oversee the condition of the Playground, including ensuring that the Annual RoSPA and any other recommended inspections take place.
  - (b) To review findings from the inspections in (a) for the Playground and make recommendations to VMC.
  - (c) To review any proposals for new projects/equipment and make recommendations to VMC.
  - (d) To undertake and monitor progress on projects relating to the Playground
2. Powers

- (a) The Playground Working Group can only make recommendations regarding Playground income expenditure as financial matters must be approved and sanctioned by VMC within delegation or Full Parish Council (if VMC delegation is exceeded).
- (b) The Playground Working Group cannot authorise any expenditure either on behalf of the Full Council, Committee, Sub-Committee, or Working Group
- (c) Membership of the Playground Working Group must comply with Standing Order 26.
- (d) The Playground Working Group does not have a delegated Budget.

## APPENDIX B

### COMMITTEES & SUB-COMMITTEES – DELEGATED BUDGETS

Below are the delegated budgets for the Clerk to the Council and the Committees and Sub-committees for any expenditure agreed within their Terms of Reference.

These will be reviewed in May each year at the Annual Parish Council Meeting.

#### Clerk to the Council

**In accordance with Item 29 (g) the delegated budget is £500.**

In accordance with Item 30 (b) the following limits are set:

#### Village Maintenance Committee (VMC)

The VMC will have an annual budget set by Full Council of which the VMC may authorise expenditure for any one item of £2500 subject to an overall expenditure limit of £3500 in any one calendar month.

Any such expenditure must be reported to Full Council at the next available Parish Council meeting.

## APPENDIX C

### DELEGATION TO EMPLOYEES

The Parish Clerk

- (i) The Clerk shall be the proper officer and carry out the functions of the Proper Officer as provided by the Local Government Act 1972. Receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- (ii) The Clerk should monitor and be responsible for all incoming and outgoing council correspondence;
- (iii) Manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- (iv) Arrange for legal deeds to be executed; (see Standing Order 32)
- (v) Arrange or manage the prompt authorisation, approval and instruction regarding any payments to be made by the council in accordance with the councils financial regulations;
- (vi) Record every planning application notified to the council and the council's response to the local planning authority;
- (vii) The Clerk shall Manage all employees (not including any variation of employment contracts and not any matters relating to grievances lodged against him/her) of the council.
- (viii) The Clerk shall, in the first instance, handle and acknowledge all complaints regarding the council (except where the complaint relates to the Clerk).
- (ix) The Clerk shall arrange and call meetings of the council, its committees and sub-committees in consultation with the relevant chair;
- (x) The Clerk shall carry out and implement any council, committee or sub-committee decision;
- (xi) The Clerk has delegated power to comment on Planning Applications relating to tree Applications.