

OSGATHORPE PARISH COUNCIL STANDING ORDERS

1 Meetings of the Parish Council shall be held on a Tuesday six times each year at regular intervals (including one in May to coincide with the Annual Meeting) in the Harley Hall, Church Lane, Osgathorpe commencing at 7.00pm, unless the Council decides otherwise at the previous meeting.

The Council may hold virtual meetings (to include teleconference or virtual meetings) as and when required. A meeting being “open to the public” include access to the meeting through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person. Access details will be published with the agenda.

2 Notice and the Agenda, of the meeting shall be given by the Clerk to all members at least three clear working days prior to a meeting and displayed by the Clerk on the notice boards and other relevant locations as deemed suitable by the members. Any additional Agenda items must be submitted to the Clerk at least two weeks prior to the meeting.

3 A Quorum shall exist if 3 members are present. When a quorum is not present at the start of a meeting, business cannot be transacted but must be deferred until the next Ordinary meeting of the Council. Alternatively, a Special Meeting may be convened at a suitable date to deal with the deferred business prior to the next scheduled Ordinary meeting of the Council. Similarly, if a Meeting becomes inquorate because members have to leave, or are unable to participate in the business under discussion, the option outlined previously may prevail. A Special Meeting of the Council may be summoned by the Chairperson, or at any time, at the request of a member of the Council. Notice of at least 7 days shall be given to all members of any Special Meeting of the Council that is called, and advertised as in point (2) above. Business to be transacted at any Special meeting shall be restricted to that contained within the notice of the meeting.

4 Conduct of meetings require Council members, and members of the public and press, to address their remarks through the Chairperson. In the absence of the Chairperson at a meeting, the Vice Chairperson will take the Chair. If both are absent, a Chairperson for the meeting will be elected from and by the Councillors who are present. The Chairperson will ensure that:

- Opinions expressed are relevant to matters being debated
- Business is transacted with reasonable speed
- Council members, and members of the public and the press, shall be called to speak by the Chairperson.

5 Voting by Council members shall be by a show of hands. A member may request a secret ballot. A motion shall be carried by a simple majority of those present. There shall be no voting by proxy. If a member requires, the Clerk shall record the names of members who voted on any question as to show whether the member voted for or against the motion. In the event of an equality of votes, the Chairperson shall have a second, or casting, vote. Council decisions shall form the definitive authority. Once a decision is reached, this cannot be further discussed within 3 months without the consent of the Chairperson. No substantive decision of the Council can be reversed for at least 6 months.

6 A record of meetings shall be taken by the Clerk and distributed to members, and be placed as per point (2) above, within 7 working days of the meeting. In the absence of the Clerk, the Chairperson shall appoint another member to keep a record and distribute the minutes.

7 The Annual Meeting of the Council will be held in May. In election years the Annual Meeting will be held between 5 and 14 days after the Election Day. The first business of the Annual Meeting shall be to elect a Chairperson, then a Vice Chairperson. The consent of the member concerned must be obtained prior to being nominated for the office of Chairperson or Vice Chairperson. At its last meeting prior to the four yearly Election of Parish Councillors, the Council shall ensure that all its business is up to date and in a form that will facilitate the transfer to the newly elected Council when it assumes its responsibilities.

8 The Order of Business at a meeting shall be to:

- Receive apologies for absence
- Read, amend (as necessary), approve and sign the Minutes of the previous meeting
- Consider any matters arising from the Minutes that are not on the meeting agenda
- Approve the financial payments and authorise payments
- Receive reports from representatives of outside organisations, including the police service
- Consider correspondence
- Consider other village related matters as per the agenda issued to members.

No discussion shall take place upon the Minutes, except upon their accuracy. Any corrections made to the Minutes must be initialled by the Chairperson. A resolution shall not be discussed unless it has been proposed and seconded. It shall, if so required by the Chairperson, be put in writing. Relevance and length of any contribution to debate by any member of Council, or public or press, shall be determined by the Chairperson.

The Council may establish sub-committees to carry out particular aspects of its work on its behalf. Members, or indeed members of the public, may make reports on the progress of issues that they have been pursuing on behalf of the Council. Members, or members of the public or press, may **not** make political statements or seek to advance any issues not relevant to the Parish Council.

9 Interests and conduct: If a member has a **personal** interest, as defined by the adopted Code of Conduct, then s/he shall declare the interest as soon as it becomes apparent, disclosing the existence and nature of that interest, as required. Thereafter, the member concerned shall only participate further on that issue if Council so agree. If a member who has declared a personal interest then considers the interest to be **prejudicial**, then s/he **must withdraw** from the room or chamber during consideration of the item to which the prejudicial interest relates and take no further part in debate, resolutions or votes on the subject.

The Clerk is required to compile and hold a Register of Members' Interests, or a copy thereof, in accordance with the Monitoring Officer of the Responsible Authority and/or as required by statute.

Members will always adhere to the terms set out in its **Code of Conduct**. Members will always conduct themselves at meetings in a way that upholds the good reputation of the Parish Council. No member shall wilfully obstruct the conduct of business, persistently disregarding the ruling of the Chairperson or behave offensively or improperly. If, in the opinion of the Chairperson, a member is deemed guilty of misconduct, the Chairperson should inform the Council accordingly. Subsequently, a member present may propose that the member named shall no longer be heard. If the motion is seconded it will be put to the vote immediately and without debate. If the member named still continues his/her misconduct, the Chairperson may either move that the member named leaves the meeting (in which case the motion will be put to the vote immediately and without debate) or adjourn the meeting for as long as considered expedient or may choose to abandon the meeting and fix a new date for the meeting and exclude the named member from attending. If, in the view of any member present, the Chairperson at a meeting similarly contravenes the Code of Conduct s/he shall inform the Council accordingly. Subsequently, any member present may propose that the Chairperson be asked to stand down from that position for the remainder of the meeting. If the motion is seconded it will be put to the vote immediately and without debate. If the motion is passed by a simple majority of members the Chair will then be taken by the Vice Chairperson, if present. If not, then a Chairperson shall be elected for the remainder of the meeting from any of the members present.

In the event of a general disturbance, the Chairperson may adjourn the meeting for as long as s/he considers expedient or call the meeting to a halt and re-arrange the meeting.

10 Vacancies on the Council: members are elected for a term of 4 years, retiring on the 4th day after the date of the normal elections that may be held every four years. There are 5 Parish Council members. An election shall take place if there are more nominations than vacancies available. At this point, all members shall stand down but those wishing to do so may seek re-election.

A casual vacancy on the Council may result from death, disqualification or resignation. Disqualification may result from failure to comply with relevant legislation or as a result of legal proceedings or from failure to attend meetings of the Council for a period of six consecutive months from the date of his/her last attendance unless his/her absence has been approved by the Council for some reason. Whatever the reason for the cessation of membership, the Council shall forthwith declare his/her office to be vacant by resolution at the first available meeting. The proper procedure as set out in statute shall be followed in advertising and filling a casual vacancy.

11 Public and press shall be admitted to all meetings of the Council. Questions of and comments to Council from members of the public and press shall be only be received during the ten minute Public Participation item on the agenda, unless otherwise invited to speak by the Chairperson. If a member of the public, or press, interrupts the proceedings at any meeting the Chairperson may, after a suitable warning, order that the person be removed from the Council meeting. **Exclusion** of the public or press for a particular issue may be required at the discretion of the Chairperson, who will move that:

Under Section 100A of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined under Paragraph 13 or Part 1 of Schedule 12A of the Act.

12 Appointment of staff: All decisions relating to the employment of Clerk will be taken in accordance with appropriate employment legislation. The position will be open to applicants irrespective of disability, ethnic origin, marital status, race, religion, gender or sexual orientation. Appointments will be made on the basis of the candidates' ability to perform the Clerks' post.

13 Management of Information: The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.

Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

14 Responsibilities Under Data Protection Legislation: The Council have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data. The Council have a written policy in place for responding to and managing a personal data breach.

STANDING FINANCIAL REGULATIONS

1 The Clerk shall be deemed the **Financial Officer**.

2 Detailed estimates of all receipts and payments for the forthcoming year shall be prepared by the Clerk and distributed to each member at the January meeting, at which the precept shall be discussed and decided. The annual precept shall form the basis of financial control for the ensuing year.

3 An ongoing balance sheet shall be provided by the Clerk to the Council at each meeting of the Council.

4 Orders for payment of money shall be prepared by the Clerk and authorised by resolution of the Council and signed by two members present at the meeting authorised to sign cheques. To indicate agreement of the details shown on the cheque the signatories shall each also sign the cheque counterfoil.

5 Accounts for payment and claims upon the Council shall be laid before the Council for approval at meetings by the Clerk, except where it is necessary to make a payment in respect of an account which has not been laid before the Council at a meeting. Such payment shall be certified as to its correctness and urgency by the Clerk, and by the Chairperson and the Vice Chairperson, and paid accordingly.

6 Personal cheques shall not be cashed out of money held on behalf of the Council.

7 The reclaim of any VAT due is the responsibility of the Clerk.

8 Following an annual Risk Assessment the Clerk shall affect all insurances and negotiate all claims on the Council's insurers. The Clerk shall maintain a record of all insurances effected by the Council and risks covered. The Clerk shall be notified of any loss, liability or damage and act accordingly, reporting these to Council.

9 Annual financial statements: The Clerk shall be responsible for completing the annual financial statements of the Council as soon as practicable after the end of the financial year. The Clerk shall be responsible for completing the Annual Return and submitting this to the Auditor.

LC/May 2022