

Newton on the Moor & Swarland Parish Council Standing Orders and Financial Regulations.

**Based on Model Standing Orders for Smaller
Parish Councils compiled by the
Northumberland Association of Local Councils**

**Approved and adopted by Newton on the Moor & Swarland Parish Council on
23rd March 2022**

Newton on the Moor and Swarland Parish Council

Standing Orders and Financial Regulations

Councillors

- 1.1. Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders and other relevant briefing material for the Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Council, or of a Councillor who has been specifically designated by the Council for this purpose.
- 1.2. All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council's business.
- 1.3. The Code of Conduct adopted by the Council will define when a Councillor will declare a Disclosable Pecuniary Interest and Other Interests 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.
- 1.4. On receipt of a written application from a councillor, the Council may grant a dispensation to him or her to speak. This is covered in the Parish Council's Dispensation Policy.

2. Annual Meetings

- 2.1. If the Annual Meeting is in an election year it must be held within 14 days after that election. If it is not an election year then the annual meeting will take place on an appropriate day in May.
- 2.2. If the outgoing Chair is available then he/she will preside until a new Chair has been elected. The first business of the Annual Meeting will be the election of the Chair (and Vice Chair, if appropriate) and to receive their acceptance of office.
- 2.3. The retiring Chair will report on the activities of the Council for the preceding year.
- 2.4. In addition to the business in 2.2 and 2.3 above, the business of and requirements for an annual meeting will be subject to the same provisions as are specified for council meetings in section 3, below.

3. Meetings

- 3.1. A minimum of 4 meetings will be held each year.
- 3.2. Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol.
- 3.3. An agreed frequency of meetings will be decided at the Annual Meeting and Councillors will be advised of the meetings by the issue of a summons and agenda. The agenda will be delivered by email. The agenda must be issued at least three clear working days before the meeting. The requirement for the issue of the summons and agenda also applies to additional ordinary meetings or extraordinary meeting should they be required.
- 3.4. Public notices will be posted in conspicuous places, and the Parish Council website, informing members of the public of the venue, time, date and business to

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be transacted at the meeting. The notice will be posted at least three clear working days before the meeting.

- 3.5. Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is regarded as confidential.
- 3.6. The public may record and transmit electronically the proceedings of a meeting of the Council and of any of its committees. No recording may be made of the public who are in attendance at the meeting, or of matters that occur in the meeting-place immediately prior to or following the meeting, without the Council's prior consent.
- 3.7. Members of the public may speak at Council meetings at the discretion of the Chair of the meeting.
- 3.8. The agenda for the meeting will be agreed by the Clerk, Chair and Vice Chair as appropriate. The agenda will always include an item to enable Councillors to declare interests. An opportunity for public questions will be made available immediately before the commencement of each meeting.
- 3.9. The Council may only take decisions on items clearly specified on the agenda; if agreed by the Chair, any urgent items which are not on the agenda may be discussed, but no decision may be made at that meeting.
- 3.10. The Chair of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chair is not present then the Vice Chair will preside. If they neither is 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 Chair for the meeting.
- 3.11. The quorum for the Council will be one third of the total Councillor places but in any case not fewer than 3. If there be insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.
- 3.12. If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any remaining business carried forward to the meeting when next convened.
- 3.13. Voting at the meeting shall be by a show of hands unless a majority of Councillors wants a ballot. Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted. A Councillor may also request that the Clerk records how each Councillor has voted, including abstentions. Any request of this nature will be made before moving on to the next business.
- 3.14. In cases of equal votes the Chair (or other person presiding) will have a second or casting vote.
- 3.15. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes will record any decisions made by the Council. Draft minutes will be circulated to Councillors as soon as practicable, at the latest within three weeks after the meeting. Councillors will supply any suggested amendments after which the amended unapproved draft minutes will be made available to the public. The minutes will then be approved at the following meeting and signed by the person presiding at that meeting.

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- 3.16. The amended unapproved draft minutes will be published within 1 month of the Parish Council meeting in conspicuous places in the Parish and on the Parish Council Website.
- 3.17. Meetings will not normally last longer than 2 hours. Meetings may extend beyond 2 hours subject to the agreement of the Council.

4. Emergency Business

Should it not be appropriate to convene a normal or extraordinary meeting, then any business will be handled through consultation with members either by email or by video call. In the case of email consultations, any resultant decision will normally be made by the Clerk. Unless the law provides otherwise, meetings of the Council that are held by video call will be consultative, with any resultant decisions being made by the Chair or whoever else has presided. The scope of the delegated authority should be minutes and periodically reviewed. Actions will be reported promptly to the Council.

5. Finance

5.1. Responsible Finance Office (RFO)

- 5.1.1. The Responsible Finance Officer is a statutory office and appointed by the Council. The Clerk of the Council will take on this role of managing the Council's financial affairs in accordance with *Proper Practices (Governance and Accountability for Smaller Authorities in England 2021)*.

5.2. Estimates and Precept

- 5.2.1. The RFO will compile estimates of income and expenditure annually for the Council's consideration. The Council will review the budget not later than the end of December in preparation for the precept being agreed and submitted to the Billing Authority no later than the end of January. During the year the budget will be reviewed against actual expenditure and income. Amendments to the budget will be discussed in Council and any changes will be minuted.

5.3. Income and Expenditure

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

5.4. Accounting and Audit

- 5.4.1. The RFO will determine all accounting procedures and financial records of the Council in accordance with the Accounts and Audit Regulations 2015.
- 5.4.2. The RFO will complete the annual financial statements of the Council including the annual return as soon as practicable after the end of the financial year and will submit and report on them for approval by the Council. The Council will review them each year and ensure that there is an adequate, effective system of internal audit of the Council's accounting, financial and other procedures in line with Proper Practice.
- 5.4.3. An Internal Auditor will be appointed by the Council to carry out the work required to comply with the Proper Practice. The person appointed will be competent and independent of the operation of the Council.

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

5.5. Banking Arrangements and Cheques

- 5.5.1. The Council's banking arrangements, including the Bank Mandate, will be made by the RFO and approved by the Council. They will be regularly reviewed for efficiency.
- 5.5.2. A resolution of the Council will nominate at least three members to be authorised by the Council to sign cheques.
- 5.5.3. All items of expenditure will be authorised by the Council and the payments approved. The RFO will examine invoices and verify and certify the expenditure. Cheques will be completed for all transactions and signed by two authorised Councillors.
- 5.5.4. Any utility bill may be paid by Direct Debit, provided that the instructions are signed by two authorised Councillors, and reviewed at least every year.
- 5.5.5. If the Council resolves to operate 'electronic banking' arrangements, appropriate standing orders and financial regulations will be adopted, to conform with Proper Practices.

5.6. Loans and Investments

- 5.6.1. All loans and investments will be negotiated in the name of the Council and will be set for a period approved by the Council.
- 5.6.2. All borrowings will be in the name of the Council and will not be entered into until necessary approvals have been given. Any application will be approved by Council, especially the terms and purpose. These terms must be reviewed annually.
- 5.6.3. All investments of money under the control of the Council will be in the name of the Council and all certificates or other documents will be retained by the RFO.

5.7. Contracts and Purchase Orders

- 5.7.1. An official order or letter will be issued for all work or services paid for by the Council. All Councillors and officers are responsible for obtaining good value for money at all times. An officer placing an order on behalf of the Council will ensure that good value and appropriate terms are obtained for the transaction.
- 5.7.2. Orders for values from £1000 – £3000 require a minimum of two quotations; for values above £3000 three quotations are required. Contracts exceeding £25,000 normally require advertising on the government's Contracts Finder website, and will follow Proper Practice.
- 5.7.3. All orders and contracts which require quotations will be approved by the Council. While the Council is not obliged to accept the lowest quotation the reasons for accepting the quotation will be recorded.

5.8. Assets

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

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5.9. VAT

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

6. Insurance

- 6.1. Following the annual risk assessment the Council will review the level of insurance cover and ensure it is adequate and appropriate for the activities of the Council. Minimum cover will include Public Liability, Employers Liability, Money and Fidelity Guarantee.

7. Risk Assessment

- 7.1. A risk assessment will be undertaken annually of all the activities of the Council and a report approved by the Council. This assessment will also cover the appropriateness of the internal audit arrangements. The Risk Assessment will be reviewed annually, and recorded in the minutes of the Council meeting.
- 7.2. If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences.

8. Freedom of Information

- 8.1. 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. The Council should periodically review the procedure and scheme.

9. Clerk to the Council

- 9.1. The Council may appoint a number of employees to assist it in the performance of its duties. The Council will appoint a Clerk to the Council which will be on an employed basis, unless the Clerk is a member of the Council, acting in an unpaid capacity.
- 9.2. The Clerk will act as the Proper Officer of the Council, and he/she will: receive the Declarations of Acceptance of Office and notices disclosing interests; sign documents on behalf of the Council and issue summons agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council; and also advise the bank of changes to mandates with the bank.
- 9.3. The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer or other employees of the Council.
- 9.4. As an employee of the Council the Clerk is covered by employment legislation that deals with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Clerk will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chair or designated Councillor acting with the authority of the Council. The Council must also have a Discipline and Grievance procedure in place

10. Committees and task-and-finish groups

- 10.1. The Council from time to time may set up committees and task-and-finish groups to undertake work on behalf of the Council. The Council will set their Terms of Reference, and they will report periodically to the Council.

11. Alteration or Reversal of previous decisions

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- 11.1. Decisions of the Council will not be reversed within 4 months, except where a special item is placed on the agenda bearing the name of two Councillors, and is considered and approved by the Council.

12. Standing Orders

- 12.1. These and any other Standing Orders will be reviewed periodically by the Clerk and the Chair, and any amendments will be decided by the Council.
- 12.2. During the course of meetings of the Council, the Chair's decision as to the interpretation of the Standing Orders will be final. In cases of doubt, the Council will seek the advice of the Northumberland Association of Local Councils.
- 12.3. The Council may resolve to suspend a Standing Order in order to progress the business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time limited.

These Standing Orders were adopted by Newton on the Moor and Swarland Parish Council at a meeting of the Council held on 23rd March 2022.