



Owermoigne Parish Council – Standing Orders

1. Councillors

- 1.1 The Parish Council will consist of the number of councillors determined for the parish by the relevant electoral arrangements. ~~The Council will consist of seven elected Councillors returned by an ordinary election held every four years.~~ The Chairman must be a Councillor.
- 1.2. If a vacancy occurs between elections or if insufficient candidates are proposed for seats at an election the Council will after due public notification and without receiving any nominations seek to fill vacancies by co-option in accordance with the Local Government Act 1972. Should the number of candidates exceed the number of vacant seats the Council may hold an election.
- 1.3. Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders 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.
- 1.4. 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. All Councillors have a duty to attend and participate in meetings and assist in the smooth running of the Council.
- 1.5. 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.

2. Annual Meetings

- 2.1 There are two Annual Meetings. The Annual Parish Meeting and the Annual Meeting of the Parish Council. They are different and serve different purposes.
- 2.2 The Annual Parish Meeting will be held on an appropriate date in April. Legally, it must be held between 1st March and 1st July. The retiring Chairman will report on the activities of the Council during his year in office.
- 2.3 The Annual Meeting of the Parish Council will be held on an appropriate day in May. In an election year this will be held within 14 days after the date of election. When appropriate, all elected/newly elected Members must sign the declaration of acceptance at or before this meeting.
- 2.4 The Chairman will be elected annually at the Annual Meeting of the Parish Council and he/she will hold office until their successor has been elected. The appointed Chairman will then complete a declaration of acceptance.
- 2.5 Each councillor must register and disclose Disclosable Pecuniary Interests in accordance with the Localism Act 2011. Each Councillor must declare any pecuniary interests which might conflict with Councillor duties. The Parish Clerk will provide a link for the Councillors who must complete this on-line within 28 days of signing their declaration of acceptance. It is called the register of interests and is available on the Parish Council website.
- 2.6 The appointment of a Vice Chairman and Committee Members/representatives will follow the election of the Chairman and form the second and third items of business on the agenda.



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3. Meetings

- 3.1. 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.
- 3.2. An agreed frequency of meetings will be decided at the Annual Parish Council Meeting and Councillors will be advised of the meetings by the issue of a summons and agenda delivered by post, hand or electronic means. In any case the agenda must be issued at least three clear business days before the meeting.
- 3.3. Public notices 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 notice will be posted at least three clear working days before the meeting.
- 3.4. Meetings will be open to the public and press however the public and press may be excluded **in accordance with Public Bodies (Admission to Meetings) Act 1960.**
- 3.5. Members of the public may speak at Council meetings **during the public participation session** and at the discretion of the Chairman of the meeting if appropriate to the business to be transacted and arranged prior to the meeting.
- 3.6. **The agenda will be prepared and issued by the Clerk in consultation with the Chairman** ~~agreed by the Clerk, Chairman and Vice Chairman as appropriate~~ and published at least three clear days prior to each Council meeting. 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.
- 3.7. The Council may only take decisions on items clearly specified on the agenda. Topics requiring a decision cannot be added to the agenda after publication deadline passes (3.6). 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. The Chairman retains the discretion to call an additional meeting to undertake business requiring an urgent decision/response by the Council
- 3.8. 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.
- 3.9. The quorum for the Council will be one third of the total Councillor places but in any case not fewer than 3. If there are insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.
- 3.10. 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.
- 3.11. 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.
- 3.12. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.
- 3.13. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes which are circulated will be draft minutes until they are



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approved by the Parish Council at their next meeting and signed by the person presiding at that meeting.

- 3.14. If a Councillor has a personal interest in any of the meeting business, a statement can be made to the Parish Council meeting but then the person must leave the meeting while discussions take place. They may remain for the discussion if they apply in advance for a Dispensation, and the terms and duration of this will be explained by the Clerk.

4. Risk Assessment

- 4.1. A risk assessment will be undertaken annually of all the activities of the Parish Council and the risk register updated appropriately. This assessment will also cover the appropriateness of the internal audit arrangements.
- 4.2. If the Parish 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

- 5.1 The Parish 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.

6. Clerk to the Council

- 6.1. The Parish Council may appoint a number of employees to assist it in the performance of its duties. **The Parish Council will appoint a Clerk to the Council who will be an employee of the Council.** ~~The Parish 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.~~
- 6.2. The Clerk will act as the Proper Officer of the Parish 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 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.
- 6.3. The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer or other employees of the Parish Council.
- 6.4. As an employee of the Parish Council the Clerk is covered by employment legislation dealing 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 Chairman or designated Councillor acting with the authority of the Parish Council.

7. Committees and task and finish groups

- 7.1 The Parish Council from time to time may set up committees and task-and-finish groups to undertake work on behalf of the Parish Council. The Parish Council will set their terms of reference, and they will report periodically to the Parish Council.

8. Emergency Business

