

## BERRIEW COMMUNITY COUNCIL/CYNGOR CYMUNED ABERRIW

### STANDING ORDERS

<b>1.</b>	<b>Councillors</b>
	<p>a) 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.</p> <p>b) 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.</p> <p>c) 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, and make a decision to stay or withdraw from the meeting.</p>
<b>2.</b>	<b>Meetings</b>
	<p>a) Meetings of the Council shall be held on the second Thursday each month (excluding August and December) at the Committee Room, Berriew Community Centre at 19:30, unless the Council decides otherwise.</p> <p>b) Councillors will be advised of the meetings by the issue of a summons and agenda delivered by post or by hand (S12 LGA 1972). The agenda may be delivered by email provided the Council has previously agreed to this. In any case the agenda must be issued at least three clear business days before the meeting.</p> <p>c) Notices of all Council meetings will be posted on the Community Council's Notice Board, on the web site and on Facebook, giving at least three clear working days before the meeting.</p> <p>d) A special meeting of the Council may be called by the Chair of the Council, the Deputy Chair (in the absence of the Chair) or the Clerk to conduct urgent business.</p>
<b>3.</b>	<b>The Statutory Meeting</b>
	<p>a) In an election year, the Annual Meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office and</p> <p>b) In a year, which is not, an election year the Annual Meeting of the Council shall be held on an appropriate day in May.</p> <p>c) The retiring Chairman will report on the activities of the Council for the preceding year.</p>
<b>4.</b>	<b>Chair of the Meeting</b>
	<p>a) The Chairman of the Council will preside at the meeting and will be responsible for the conduct of that meeting.</p> <p>b) In the absence of the Chair the Vice Chair will preside.</p> <p>c) In the absence of both the Chair and Vice Chair, the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting.</p>

	<b>Whoever chairs the meeting will assume the duties of the Chairman for the meeting.</b>
<b>5.</b>	<b>Proper Officer</b>
	<p>Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, that officer shall be its Clerk: -</p> <ul style="list-style-type: none"> <li>▪ To receive declarations of acceptance of office from Councillors.</li> <li>▪ To receive and record notices disclosing interests at meetings.</li> <li>▪ To receive and retain plans and documents.</li> <li>▪ To sign notices or other documents on behalf of the Council.</li> <li>▪ To receive copies of bylaws made by another local authority.</li> <li>▪ To sign and issue the summons to attend meetings of the Council</li> <li>▪ To keep proper records for all Council meetings</li> </ul>
<b>6.</b>	<b>Quorum of the Council</b>
	<ul style="list-style-type: none"> <li>a) <b>Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.</b></li> <li>b) If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted at that meeting shall be transacted at the meeting when next convened.</li> </ul>
<b>7.</b>	<b>Voting</b>
	<p>Members shall vote by show of hands or, if at least two members so request, by signed ballot.</p> <ul style="list-style-type: none"> <li>a) <b>Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted.</b></li> <li>b) <b>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.</b></li> <li>c) <b>In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.</b></li> <li>d) <b>If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provision which preserve the membership of the Chair and Vice-Chair until the end of their term of office he/she may not give an original vote in an election for Chair.</b></li> <li>e) <b>Voting on Appointments - Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.</b></li> </ul>
<b>8.</b>	<b>Order of Business</b>
	<p><b>At each Annual Community Council Meeting the first business shall be: -</b></p> <ul style="list-style-type: none"> <li>a) <b>To elect a Chair of the Council.</b></li> <li>b) <b>To receive the Chair's declaration of acceptance of office or, if not then received, to decide when it shall be received.</b></li> <li>c) <b>In the ordinary year of election of the Council to fill any vacancies left unfilled at</b></li> </ul>

	<p><b>the election by reason of insufficient nominations.</b></p> <p><b>d) To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the Council which have not been received as provided by law, shall be received.</b></p> <p>e) To elect a Vice-Chair of the Council.</p> <p>f) To appoint representatives to outside bodies.</p> <p>g) To appoint committees and sub-committees.</p> <p>h) To consider the payment of any subscriptions falling to be paid annually.</p> <p>i) To inspect any deeds and trust investments in the custody of the Council as required;</p> <p>At every Council meeting, other than the Annual General Meeting the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows: -</p> <p><b>j) To appoint a Chair in the absence of the Chair and Vice-Chair</b></p> <p>k) To receive any apologies for absence of Members</p> <p><b>l) After consideration to approve and sign the Minutes of the previous meeting by the person presiding at that meeting as correct record</b></p> <p><b>m) To receive such declarations of acceptance of office (if any) and undertaking to observe the Council’s code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.</b></p> <p>n) To give members of the public an opportunity to make representation to the Council under “open discussion for members of the public”</p> <p><b>o) To deal with business expressly required by statute to be done.</b></p> <p>p) To dispose of business, if any, remaining from the last meeting.</p> <p>q) To receive listed communications, and where appropriate, make decisions thereon.</p> <p>r) To consider items of business placed upon the agenda by the Clerk.</p> <p>s) To authorise the signing of accounts for payment.</p> <p>t) To determine the date of the next ordinary meeting</p> <p>In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees.</p>
<b>9.</b>	<b>Urgent Business</b>
	<p>A motion to vary the order of business on the ground of urgency:</p> <p>a) May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and</p> <p>b) Shall be put to the vote without discussion.</p>
<b>10.</b>	<b>Resolutions Moved on Notice</b>
	<p>a) Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been included on the Agenda. Members may put an item or notice of resolution on the Agenda by giving the Clerk written notice of the item</p>

	<p>or resolution at least fourteen days prior to the meeting to which the Agenda relates.</p> <p>b) The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.</p> <p>c) If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.</p> <p>d) If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.</p> <p>e) Every resolution, amendment or recommendation shall be relevant to some subject over which the Council has the power or duties, which affects its area.</p>
<b>11.</b>	<b>Resolutions Moved Without Notice</b>
	<p>Resolutions on the following procedural matters may be moved without notice: -</p> <p>a) To appoint a Chairman of the meeting.</p> <p>b) To correct the Minutes.</p> <p>c) To approve the Minutes.</p> <p>d) To alter the order of business.</p> <p>e) To proceed to the next business.</p> <p>f) To close or adjourn the debate.</p> <p>g) To refer a matter to a committee.</p> <p>h) To appoint a committee or any members thereof.</p> <p>i) To adopt a report.</p> <p>j) To authorise the sealing of documents.</p> <p>k) To amend a motion.</p> <p>l) To give leave to withdraw a resolution or amendment.</p> <p>m) To extend the time limit for speeches.</p> <p>n) To exclude the press and public</p> <p>o) To silence or eject from the meeting a member named for misconduct</p> <p>p) To give the consent of the Council where such consent is required by these Standing Orders.</p> <p>q) To suspend any Standing Order</p> <p>r) To adjourn the meeting</p>
<b>12.</b>	<b>Minutes</b>
	<p>No discussion shall take place upon the Minutes except upon the accuracy. Corrections to the Minutes shall be made by resolution and must be initialled and dated by the Chairman.</p>
<b>13.</b>	<b>Rules of Debate / Right to Reply</b>
	<p>a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.</p> <p>b) A member shall direct his speech only to the question under discussion</p> <p>c) An amendment to a motion shall be either</p> <ul style="list-style-type: none"> <li>• To leave out words</li> <li>• To leave out words and insert others</li> <li>• To insert or add words</li> </ul>

	<ul style="list-style-type: none"> <li>d) The resolution shall not have the effect of negating the resolution before the Council.</li> <li>e) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.</li> <li>f) The mover of a resolution or of an amendment shall have a right to reply before the resolution is put to the vote. If an amendment is proposed, the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.</li> </ul>
<b>14.</b>	<b>Disorderly Conduct</b>
	<ul style="list-style-type: none"> <li>a) <b>All members must observe the Code of Conduct (Wales) adopted by the Community Council.</b></li> <li>b) No members shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute</li> <li>c) If, in the opinion of the Chairman, a member has acted in a manner contrary to that required, any member may move that the member in question be no longer heard, or be asked to leave the meeting. If the motion is seconded the motion shall be put forth with and without discussion.</li> <li>d) In the event of such a motion, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.</li> </ul>
<b>15.</b>	<b>Sub Committees</b>
	<p><b>The Council may at its Annual General Meeting appoint sub committees for purposes specified by the Council.</b></p> <ul style="list-style-type: none"> <li>a) <b>The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed unless they signify that they do not wish to serve.</b></li> <li>b) <b>Chairman of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.</b></li> </ul>
<b>16.</b>	<b>Expenditure</b>
	<ul style="list-style-type: none"> <li>a) All expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations</li> <li>b) Orders for the payment of money shall be authorised by resolution of the Council and signed by two members as stipulated in the Financial Regulations (amended version April 2017).</li> </ul>
<b>17.</b>	<b>Accounts and Financial Statement</b>
	<ul style="list-style-type: none"> <li>a) All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations (amended April 2017).</li> <li>b) The Responsible Financial Officer shall supply to each councillor a quarterly financial statement (receipts &amp; Payment or Income &amp; Expenditure) summarising the Council's income and expenditure, and the balances held at the end of that period. This statement should include a comparison with the budget for the financial year.</li> <li>c) An end of year Financial Statement to 31 March shall be prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) and presented to each councillor.</li> </ul>

	<p>d) The Statement of Accounts of the Council (subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.</p>
<b>18.</b>	<b>Estimates / Annual Budgets</b>
	<p>a) The Council shall approve the written estimates and Precept for the following financial year at its meeting in January (Financial Regulations April 2017)</p> <p>b) Any councillor desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.</p>
<b>19.</b>	<b>Canvassing of and Recommendations by Members</b>
	<p>a) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this Standing Order to every candidate.</p> <p>b) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion. Any such member may however give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.</p>
<b>20.</b>	<b>Inspection of Documents</b>
	<p>a) A member may for the purpose of his/her duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.</p> <p>b) All minutes kept by the Council and by any Committee shall be open to inspection by a Member of the Council except those minutes relating to matters held in private session.</p>
<b>21.</b>	<b>Admission of the Public and Press at Meetings</b>
	<p><b>a) The public and press shall be admitted to all meetings of the Council and its Committees which may, however, temporarily exclude the public</b> by means of the following resolution:</p> <p>“that in the view of the confidential or special nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw or the matter relates to a staff matter”.</p> <p>The Council shall always state the reason for such exclusion.</p> <p>At all meetings of the Council the Chair may at her or his discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business being transacted at the meeting.</p> <p>b) The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present.</p> <p>c) There shall be no audio or video recording or photographs at the meeting without the express approval of the Chair of the Council and the Clerk.</p> <p>d) If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he or she be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.</p>

<b>22.</b>	<b>Public access to information and Documents</b>
	<p>a) All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000, Data Protection Act 1998 and under the Council's Model Publication Scheme.</p> <p>c) Documents such as minutes and policies are made available on the Council website.</p>
<b>23.</b>	<b>Confidential Business</b>
	<p><b>No member of the Council shall disclose to any person, not being a Member of the Council, any business declared to be confidential by the Council.</b></p>
<b>24.</b>	<b>Liaison with County Councillors</b>
	<p>County Councillors who are not Community Councillors shall be invited to attend meetings and shall be sent copies of agendas, minutes and others relevant documentation. They may be allowed to speak at the discretion of the Chairman.</p>
<b>25.</b>	<b>Emergency Business</b>
	<p>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.</p>
<b>26.</b>	<b>Variation, Revocation and Suspension of Standing Orders</b>
	<p>Subject to statutory requirements (<b>bold type</b>), any or every part of the Standing Orders may be suspended by resolution in relation to any specific item of business.</p>
<b>27.</b>	<b>Standing Orders to be Given to Members</b>
	<p>A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him/her of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.</p> <p>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 SLCC.</p> <p>The standing orders will be reviewed annually by the Clerk and the Chairman, and any amendments will be decided by the Council.</p> <p><b>These Standing Orders were adopted by Berriew Community Council at a meeting of the Council held on the 13th April 2017.</b></p>