

## **KERRY COMMUNITY COUNCIL STANDING ORDERS.**

**Amended July 2023.**

### **1. Powers and Duties of the Chairman:**

1. The Person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

### **2. Election of Chairman:**

1. The Chairperson if re-elected may only remain in post for a maximum of three consecutive years. **The election of the new chairperson to take place at the next AGM each year, for a maximum of three years**

### **3. Proper Officer:**

1. The proper Officer of the Council is the Clerk. The responsible Financial Officer of the Council is the Clerk. Other duties of the Clerk are laid down in the conditions of the Service Contract and Job Description. Notwithstanding those duties and responsibilities, it shall be the duty of the Clerk to advise Members on the content and interpretation of these standing orders.

### **4. Quorum:**

1. Council Meetings Four members plus Chairman shall constitute a Quorum.
2. Sub – Committees: Three Members shall constitute a Quorum.
3. If a Quorum is not present when the Council meets or if during the meeting the number of members, for whatever reason, falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may decide.

### **5. Planning Consultations:**

1. All planning applications should appear on the agenda and be placed on public display for seven days prior to the next meeting. All meetings will be open to members of the public, who may address the council with the prior permission of the chair. They may be asked to leave for members to reach their decision.
2. If an application is received after the agenda has been circulated the clerk will request an extension of the consultation period, so that it can be considered at the next regular meeting. If an extension is declined it will be dealt with by additional planning meeting.
3. If a response is required prior to the monthly meeting date, a meeting shall be called. All councillors will be informed by agenda. Attendance at planning meetings to be recorded in the minutes. Additional Planning Meetings do not apply in the calculation of meeting attendance records of Councillors.
4. Council can call for a paper vote on planning applications if required.

### **6. Voting:**

1. Election of Officers by paper nomination and ballot, for all other matters Members shall vote by show of hands unless the meeting decides otherwise.
2. If the meeting so requires, the Clerk shall record the names of the Members who voted on any question and how they voted.
3. The Chairman may give an original vote on any matter put to the vote and in the case of equality of votes, may give a casting vote, whether or not an original vote was given.

### **7. Order of Business:**

1. The order of Business shall be stated on an agenda paper, which shall be delivered to each Member at least three clear days prior to the date of the meeting along with the summons convening the meeting.
2. Clerk to indicate correspondence requiring attention, listing remainder for Councillors information only.

### **8. Tendering for Contracts:**

1. Contracts over the £5,000.00 + VAT (Five Thousand Pounds) threshold to be advertised in the local press for tenders and/or e tender platform/frameworks, as appropriate.

2. In circumstances that require specialist/ technical goods and/or services the pre-qualification of tenderers may be required to meet specialist/ technical criteria and therefore advertisement in the local press may not be considered suitable.
3. Tenders can be submitted by post/ electronically and addressed to the Clerk. Sealed bids will be used as appropriate.
4. Under £5,000.00 + VAT at the Councils discretion, if deemed necessary to request tenders from at least three local Contractors.
5. Copies of the tender process including quotes and tender evaluations should be held by the Council for audit purposes.
6. VAT on disbursement invoices will be reclaimed through S126, as appropriate.
7. The decision making related to Tendering for Contracts will be minuted and approved by the Council and/or appropriate sub-committee.

#### **9.Resolutions Moved on Notice:**

1. 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.
2. Members may put an item or notice of resolution on the agenda by giving the Clerk written notice of the item or resolution at least seven clear days prior to the meeting to which that agenda relates.
3. Every resolution, amendment or recommendation shall be relevant to some subject over which the Council has the power or which affects its area.

#### **10.Resolutions Moved Without Notice:**

1. Resolutions on procedural matters may be moved without notice, including those to vary the order of business on the grounds of urgency or procedural efficiency. Such resolutions shall be put to the vote without discussion.

#### **11.Rules of Debate:**

- 1 All remarks shall be addressed to the Chairman.
- 2 No discussion shall take place on the minutes of previous meetings except upon their accuracy. Corrections to the minutes shall be made by resolution and must be initialled by the Chairman.
- 3 A Member shall except as provided by these standing orders, only be entitled to speak once on any motion or amendment.
- 4 A Member shall direct comments to the question under discussion or to a personal explanation or to a point of order.
- 5 No speech by a mover of a resolution shall exceed three minutes and no other speech shall exceed two minutes except under the consent of the Council.
- 6 The mover of the resolution shall have the right of reply not exceeding one minute.
- 7 The ruling of the Chairman on a point of order or on the admissibility of an item shall not be discussed.
- 8 A representative of the local Constabulary shall be allowed to speak at Council meetings at the discretion of the Chairman.
- 9 Whenever the Chairman rises to his feet during a debate all other Members shall be seated and silent.

#### **12.Closure:**

1. A motion of closure of a debate may be moved at any time but must be proposed and seconded without comment.
2. The Chairman may refuse such motion if he feels that the question before the Council has not been sufficiently debated.

#### **13.Rescission of Previous Resolutions:**

1. A decision of the Council (whether affirmative or negative) shall not be reversed within six months except by a special resolution, the written notice of which bears the names of at least three members of the Council.
2. When such a resolution has been disposed of, no similar resolution may be moved within a further six months.

#### **14. Confidential Business:**

1. 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.

#### **15. County Councillors:**

1. County Councillors who are not also Community Councillors shall be invited to attend meetings and shall be sent copies of agendas, minutes and other relevant documentation.
2. They may be allowed to speak at the discretion of the Chairman.

#### **16. Length of Meetings:**

1. Except at the discretion of the Chairman, all meetings of the Council finish not later than two and a half hours after commencement.
2. Any business not transacted shall be carried over to the next meeting or such other date as the Chairman may decide.

#### **17. Suspension of Standing Orders:**

1. These standing orders may be suspended at any time and for any period of time by resolution.

#### **18. Standing Orders to be given to Members:**

1. A copy of these standing orders shall be given to all members, prior to the Annual General Meeting each year.

#### **19. Interpretation:**

1. In these Standing Orders words importing one gender shall include all genders and the singular includes the plurals and vice versa.

#### **20. Gifts and Hospitality:**

1. Members must declare and gift or hospitality over the value of £25.00 given to them in their role as Councillor.

#### **21. Remuneration and Payments towards costs and expenses.**

- 1 Council will allocate adequate funds to meet the funding of mandatory annual payment of £156 to all members. Councillors wishing to maintain their voluntary status must inform the Clerk prior to the close of the February meeting in writing. Payment will automatically be made at the March meeting.
- 2 Council will provide replacement stationery relating to Council work to Councillors who make request to the Clerk.
- 3 Travel expenses to be made at 45p per mile plus an additional 5p per mile for each fellow councillor travelling to meetings when attending as an elected representative of full Council.
- 4 To bring Council in line with the Independent Remuneration Panel for Wales recommendations of all other optional payments to be reviewed at the AGM.

#### **22. Committees Elected by the Full Council.**

- 1 A committee appointed by a local council is subject in most cases to the same rules in relation to meetings as apply to the council itself. (Standing Orders)
- 2 Minutes of the proceedings of a committee must be recorded and kept.
- 3 A committee without the power to decide a particular matter must send its decision as a recommendation up to the full council.
- 4 Where the committee does have the power to make a decision, the council does not need to ratify it at all.
- 5 If the council wants to overturn a decision of a committee, they will need to use a Standing Order procedure.
- 6 Meetings of the committee must be open to members of the public and the press.
- 7 The Council grant the elected under Kerry Community Council Constitution the power to make financial and contractual commitment on their behalf up to and including the sum of £500 on any single occasion with a maximum accumulated figure of £1,000 in a two-month period.

- 8 Committees with the financial powers detailed above; **Amenities Committee**
- 9 The financial accounts of a committee form part of the accounts of the council itself and as such are the subject of audit.
- 10 A committee should make arrangements to request the ordering of goods and arrange for payment by the full council via the Clerk. The Clerk is responsible for the proper administration of the committee's financial affairs.