

CYNGOR CYMUNED EGLWYS BACH COMMUNITY COUNCIL

STANDING ORDERS - REVIEWED APRIL 2018

[These Standing Orders were adopted by the Council at its Meeting held on 03/04/2018].

1. COUNCILLORS

- 1.1. Following election or co-option to Eglwys Bach Community Council (the Council), each Councillor will be issued with a copy of the Code of Conduct and these Standing Orders of the Council. They will sign the form Declaration of Acceptance of Office, in the presence of the Clerk of the Council or one of the Councillors.
- 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 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 that meeting and complete and sign the Council's Declaration of Interest form.

2. THE ANNUAL MEETINGS

WITH ELECTORS

- 2.1. In Wales, there is no requirement to hold an Annual Meeting with Electors as this type of meeting can be called at any time.
- 2.2. Eglwys Bach Community Council have agreed to hold an Annual Meeting with Electors in May to discuss matters that are important to the community.
- 2.3. The retiring Chair (if present) will steer the meeting in the usual way and will present the Chair's Annual Report, which is a report outlining the Council's key activities during the preceding year. Then important issues raised by the electors will be discussed.

THE COUNCIL

- 2.4. If it's an election year, the meeting must be held within 14 days after that election. If it's not an election year, then the Annual Meeting will take place on an appropriate day in May.
- 2.5. In this meeting, the retiring Chair (if present) will open the meeting and elect a Chair, Vice-chair, appoint committee members and representatives to other bodies. This is a meeting of the Council.
- 2.6. Then, the new Chair will take-up his duties in the chair.

3. MEETINGS

- 3.1. Meetings will be held in appropriate, accessible accommodation, which is at present the Back Room of Aberconwy Village Hall, Eglwys Bach.
- 3.2. The meetings are held on the first Monday of each month (except August), unless the Monday falls on a Bank Holiday, where the meeting shall be held on the following Tuesday or other day as agreed by the Council. Councillors will be advised of the meetings by the issue of the agenda, minutes and other relevant papers which will be either sent via e-mail, by post or delivered by hand. In all cases the agenda and associated papers will 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 but they may be temporarily excluded from the meeting if the business is regarded as confidential.
- 3.5. Members of the public may speak at Council meetings at the discretion of the Chairman of the meeting.
- 3.6. The Agenda for the meeting will be agreed by the Clerk and the Chairman or and Vice Chairman as appropriate. The Agenda will always include an item to enable Councillors to declare an interest(s).
- 3.7. The Council may only take decisions on items clearly specified on the agenda; if agreed by the Chairman, any urgent items which are not on the agenda may be discussed.
- 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 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.
- 3.10. 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 want 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. 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 approved by the full Council at their next meeting and signed by the person presiding at that meeting.
- 3.14. With regard to planning applications - if there is a personal interest a statement can be made to the Council meeting but then the person must leave the meeting while discussions take place.

4. FAILURE TO ATTEND MEETINGS

- 4.1 Section 85 of the Local Government Act 1972 provides that when a member fails to attend any Council meeting for a period of six months they have effectively resigned from the Council unless a reason for non- attendance has been approved by the Council before the expiry of that period.
- 4.2 If non-attendance for 3 consecutive months arises, the Clerk will write a letter to the said Councillor reminding him/her of their duties to the Community.
- 4.3 In terms of 4.1 above, the Clerk will formally write to the said Councillor informing them of the situation and inviting them to comment on this before confirming that the said seat is effectively vacant.
- 4.4 In terms of 4.3 above, in the absence of any contrary information from the said Councillor the Council will formally declare the seat to be vacant. In this regard, the Clerk will inform the Returning Officer of Conwy County Borough Council of the vacancy so it can be filled either by election or co-option.

5. FINANCE - RESPONSIBLE FINANCE OFFICE (RFO)

The Responsible Finance Officer is a statutory office and the Clerk of the Council will take on this and the role of managing the Council's financial affairs in accordance with Proper Financial Practices and Procedures.

See the Council's Financial Regulations for further operative information.

6. FREEDOM OF INFORMATION

The Council is subject to the Freedom of Information Act 2000. The Clerk will ensure the Council conforms to the requirements of the Act allowing public access to the appropriate documents as and when practicable. In cases of uncertainty the Clerk will consult with Conwy County Borough Council for further advice on behalf of the Council.

7. CLERK TO THE COUNCIL

- 7.1. 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.
- 7.2. The Clerk will act as both the Proper and Responsible Finance 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 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.
- 7.3. As an employee of the Council the Clerk is covered by employment legislation 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 Council.

8. EMERGENCY/SPECIAL COUNCIL MEETINGS

The Clerk, in consultation with the Chairman, has the authority to convene Emergency/Special Council Meetings in exceptional circumstances if such a meeting is required in order for the Council to effectively carry out its urgent business.

9. STANDING ORDERS

- 9.1. These standing orders will be reviewed annually by the Clerk and the Chairman, and any amendments will be decided and agreed upon by the full Council.
- 9.2. 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 Conwy County Borough Council's Legal Department.
- 9.3. 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.

[..... Chairman]