

Pendine Community Council Cyngor Cymuned Pentwyn

STANDING ORDERS

Nothing in these Standing Orders can overrule any legal requirement.

1.0 Meetings

- 1.1 The Annual General Meeting will, unless varied by any legal requirement or by resolution or on the decision of the Chair, be held on the second Wednesday of May except in an election year, when it will be held after the election - either on the second Wednesday of the month of election or of the month that follows the election.
- 1.2 The Annual General Meeting will commence at 7.00 pm and may be adjourned, following the vote of thanks to the retiring Chair, to the following Wednesday, if the newly elected Chair so decides.
- 1.3 Ordinary Meetings will, unless varied by resolution or on the decision of the Chair, be held on the second Wednesday of each month, with the exception of (a) an AGM held on that day, when, unless varied by resolution or on the decision of the Chair, it will be held on the third Wednesday and (b) August, when no Ordinary Meeting will be held.
- 1.4 Ordinary Meetings will commence at 7.00 pm, with the exception of the May Meeting, which will commence following an adjourned Annual General Meeting. Ordinary Meetings are to be concluded by 9.00 pm and outstanding business adjourned.
- 1.5 Special Meetings may be called by resolution, or on the decision of the Chair, or by notice to the Clerk signed by at least 3 Members.
- 1.6 The Chair shall be the Chair of the Meeting. In his/her absence, the Deputy Chair shall be the Chair. In the absence of both, a Chair shall be elected from those Members present.
- 1.7 Three Members shall constitute a quorum. No business may be conducted unless a quorum is present.
- 1.8 Members shall vote by a show of hands unless a signed ballot is requested by at least two Members, except in the election of the Chair and Deputy Chair. In the case of the election of the Chair and Deputy Chair, unless a signed ballot is requested by at least two Members or unless a recorded ballot (para 1.9 below) is requested by any Member, election shall be by secret ballot.
- 1.9 If a Member so requires, such request to be made prior to or immediately after the vote being taken, the Clerk shall record the names of the Members who voted on any question so as to show whether they voted for or against it.

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- 1.10 (a) Subject to (b) and (c) below, the Chair may give an original vote on any matter put to the vote and in the case of an equality of votes may give a casting vote even though he/she gave no original vote.
- (b) If the person presiding at the annual general meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chair and the Vice-Chair until the end of their term of office he may not give an original vote in an election for Chair.
- (c) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.
- 1.11 Declarations of Acceptance of Office and Acceptance of the Council's Code of Conduct shall be received from newly elected or co-opted Members by the Clerk before the commencement of the first appropriate Council Meeting. In the absence of a Declaration, the Clerk shall report the matter to the Council. A Councillor must not vote on any matter until he or she has executed a Declaration of Office and Acceptance of the Council's Code of Conduct.
- 1.12 At each Annual General Meeting the order of business shall be
- (a) to receive a report on the year of office from the retiring Chair
 - (b) to elect a Chair
 - (c) to receive the Chair's declaration of acceptance of office
 - (d) to elect a Deputy Chair
 - (e) to receive the Deputy Chair's declaration of acceptance of office
 - (f) To call on the Chair to give a vote of thanks to the retiring Chair
 - (g) in the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations
 - (h) to decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
 - (i) to invite members of the public to address the Council
 - (j) to appoint, terminate or amend Committees, membership and terms of reference
 - (k) to appoint representatives on external bodies
- 1.13 At every Meeting other than the Annual General Meeting, the first business shall be to appoint a Chair if the Chair and Deputy Chair are absent and to receive from the Clerk notice of any declarations of office, if any, as are required by law to be made that have not been made and to decide when they should be received.
- 1.14 Prior to an Ordinary Meeting commencing, the Chair may invite the public to address the Meeting. The public are not allowed to speak during the Meeting. The Chair may decide to adjourn the Meeting to allow public contribution on a specific item. The Council's policy on inviting the public to speak is shown under para. 7.0 below.

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- 1.15 The order of business of Ordinary Meetings shall be as follows -
- a) Apologies for absence
 - b) Disclosure of personal interests
 - c) Approval of the Minutes of the previous Meeting(s).
 - i Any amendments to the Minutes of the previous Meeting must be received by the Clerk not later than noon on the day before the Meeting otherwise the Minutes will be signed by the Chair as a true record.
 - ii No discussion shall take place upon the Minutes except upon their accuracy.
 - iii Corrections to the Minutes shall themselves be minuted.
 - c) Administration Matters. These shall comprise routine items and matters for information. No significant policy or contentious issues may be raised under this heading.
 - i Matters Arising from the Minutes of the previous Meeting(s).
 - ii Correspondence
 - iii Accounts for payment and note of income received
 - iv Reports on Groups and Meetings
 - v Clerk's Report
 - vi Planning
 - d) Any other items specified in the Agenda
 - e) Except as provided by these Standing Orders, no resolution shall be moved unless the business to which it relates has been identified on the Agenda. Items for the Agenda must be submitted in writing to the Clerk at least 14 days prior to the relevant Meeting.
 - f) Resolutions affecting policy or with significant financial implications not already provided for in the annual budget may only be considered if clearly identified in the Agenda.
- 1.16 The Clerk is responsible for drawing up the Agendas for all Meetings. He/She will liaise with the Chair when appropriate.
- 1.17 A Member may ask the Chair or the Clerk any question concerning the business of the Council provided notice of the question has been given. Questions seeking clarification of a matter under discussion may be asked at the time that matter is being discussed.
- 1.18
- a) A resolution shall not be discussed unless it has been included on the Agenda.
 - b) A Member shall direct his/her speech to the matter under discussion.
 - c) No speech shall exceed 5 minutes unless an extension is asked of and granted by the Chair before the speech begins. The Chair will then indicate a time limit.
- 1.19 An amendment shall be to leave out words or to insert words or to leave out and insert words. An amendment shall not have the effect of negating the resolution before the Council.
- 1.20 Arrangements will be made for the public and the press to attend Meetings as observers. When sensitive matters (such as legal, contractual or

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personnel matters) are discussed the Council may agree to exclude the public and press for just those items.

- 1.21 Procedures on the conduct of Meetings not set out in these Standing Orders shall be decided by the Chair of the Meeting, in consultation with the Clerk. The Chair's decision on procedural issues shall be final.
- 1.22 Committees may be established by the Council. Each Committee will be given terms of reference that will include membership, function and whether the Committee has delegated authority or is advisory only. Committee meetings will normally be open to the public.
- 1.22 Working Parties may be established for short term purposes by the Council. These will not be subject to the rules that apply to Committees and need not be held in public. A Working Party will be advisory only and will have no delegated authority.
- 1.23 The Council may delegate authority to act on its behalf to the Clerk or to a Committee or to another Council. It cannot delegate to a single Councillor (not even the Chair).
- 2.0 Administrative Arrangements
- 2.1 The Office of Clerk shall include the duties specified in his/her Contract of Employment.
- 2.2 Where a statute, regulation or order confers functions or duties on the proper officer of the Council, that officer shall be the Clerk.
- 2.3 The Clerk or, in his/her absence, a Member selected by the Council, will keep Minutes of each Meeting of the Council or Committee. Minutes are not a verbatim report and it is not necessary to say who said what, although the discussion may be summarised in brief. Decisions are to be recorded precisely.
- 2.4 When a Member reports a problem or issue to the Council, a Working Party of Members will normally investigate the background and submit a written report before any action is taken. Exceptions will be when the problem is a matter of routine which the Clerk can resolve as an administrative matter or when an urgent matter arises, in which case the Clerk, in consultation with the Chair or Deputy Chair where appropriate, is authorised to take action.

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- 2.5 The Clerk will receive notifications of Planning matters and will, in consultation with the Chair or Deputy Chair, determine whether it should be dealt with as a routine administrative matter or should be specified on the Agenda for consideration by the Council.
- 2.6 Any complaint received by the Council in respect of a Member shall not be considered by the Council. The complainant shall be advised that if he/she wished to pursue the complaint he/she should use the process provided by the Local Government Ombudsman.
However, in an effort to resolve disagreements between two or more Councillors of the Council, the Council may offer to establish an internal mediation arrangement but it would remain a matter for the Councillors involved as to whether the offer be taken up.
- 3.0 Policy on co-option to the Council
When the Council resolves to co-opt persons to fill a vacancy on the Council it will invite interested persons qualified to stand for election to apply for consideration for co-option by publishing notices in its notice boards. Application will be by letter, addressed to the Clerk.
The Council will compile a shortlist for co-option and Candidates will then be invited to a Special Meeting of the Council where they may advise the Council, in their own words, why they wish to become a Member and why they think they can make a contribution to the work of the Council. Each candidate will be able to speak for up to five minutes. Members will not ask questions of any candidate. The Council will then co-opt a Member from the Candidates appearing before it.
- 4.0 Code of Conduct
- 4.1 Pendine Community Council has adopted an approved Code of Conduct for Members. Members are personally responsible for complying with the Council's Code of Conduct. They are responsible for advising the Clerk of any conflicts of interest and must specify the nature of the interest and whether any dispensation to speak and/or vote has been granted.
The Clerk shall keep a register of all such declarations of interest.
- 5.0 Access to information
- 5.1 The Council has adopted the principle that in the conduct of its business it will be open and ensure that, other than those items where there is specific legal provision, all information that it holds will be identifiable and open to inspection.
- 5.2 The Council has established a Freedom of Information Scheme through which it will meet the requirements of the Freedom of Information Act 2000.

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- 5.3 It has drawn up a Publication Scheme under the provisions of the Freedom of Information Act 2000 which sets out how the Council will give effect to that principle when providing services to the public
- 6.0 Promotion of equality of Welsh and English
- 6.1 The Council has adopted the principle that in the conduct of its business it will treat the Welsh and English languages on a basis of equality.
- 6.2 It has drawn up a Welsh Language Scheme which sets out how it will give effect to that principle when providing services to the public
- 7.0 Invitation to public to address the Meeting
- 7.1
- a) In law the public cannot take part in the proceedings of the Council.
 - b) However, the Council recognises the advantages of allowing the public to either put questions or make observations. Whilst that can, of course be done by reference to any Councillor before the Meeting, the Council wishes to further encourage public interest.
 - c) The Council has therefore set aside a brief period during which members of the public are invited to put questions or make observations.
 - d) This period falls outside the Meeting, which is adjourned for this session.
 - e) If a member of the public wishes to comment on a particular item in the agenda, he or she may, during this period, ask the Chair for permission to address the Meeting just prior to that agenda item being discussed by the Council.
 - f) In law, no policy decisions can be made unless the subject has been included on the agenda.
 - g) The decision of the Chair on the conduct of this facility for public participation is final.
 - h) Members of the public and Members of the Council must remember this period is not for prolonged debate. It is a period for the public to make a statement or ask a question. All responses, if any, will be conducted through the Chair.
 - i) The public must not speak or interfere with the Meeting outside the period set aside by the Chair.
- 7.2 The Chair may extend an invitation to any appropriate person such as the local County Councillor or Police Officer etc to contribute to relevant items under discussion. They shall always speak through the Chair and are not able to vote.

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8.0 Statement of Policy re Risk Management

The Council recognises its responsibilities to minimise risks and the losses that could arise therefrom.

All Councillors have undertaken to abide by the Council's Code of Conduct for the time being adopted under Section 51 of the local Government Act 2000. Councillors will ensure that all their actions as Members are properly channelled through the Council and they will not act unilaterally. They will ensure the advice of the Clerk is sought whenever appropriate.

The Council will appoint a suitably experienced Clerk and Responsible Finance Officer to advise the Council and to keep appropriate financial and other records. The role of the Clerk and Responsible Financial Officer will be properly identified in a formal Contract of Employment which will be amended as circumstances warrant.

Internal check arrangements will be implemented to protect funds and assets.

The Council will operate in an open matter. Matters treated as confidential will be kept to a minimum and only where justified by good practice, such as protecting personal information or commercial or similar sensitivity.

The Council recognises its responsibilities to its Members, Employees and Contractors and any instances of unacceptable behaviour by any member of the public or others towards its Members, Employees and Contractors will be vigorously dealt with.

In its proceedings the Council will bear in mind the risks that could arise in respect of itself, its employees, its contractors, the public and any others and acknowledge its responsibilities to minimise those risks and, where appropriate, to take out such insurance as is reasonable to cover insurable risks. All Members acknowledge their responsibility to report to the Council, through the Clerk, any risks that they become aware of that they have reason to believe have not been previously identified or properly considered.

9.0 Statement of Policy re Race Relations

The Council recognises its general duty under section 71(1) of the Race Relations Act 1976 to eliminate unlawful racial discrimination and to promote equal opportunity and good relations between persons of different racial groups.

In addressing this duty the Council has looked at its functions and, in the context of this area, no specific action needs to be taken as they have no discernible effect on racial equality.

However, it will continue to bear in mind these duties in the conduct of its work and delivery of services.

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10.0 Statement of Policy re Equal Opportunities

The Council is committed to the principle that equality of opportunity is fundamental in governing the delivery of services to the community and in the employment of employees of the Council.

The Council aims to be open, democratic and inclusive and to welcome diversity.

Services and access to employment will be accessible to everyone regardless of their race, colour, nationality, ethnic or national origins, language, disability, religion, age, gender, gender reassignment, sexual orientation, parental or marital status.