

# Llanelly Community Council Standing Orders

Adopted in May 2017

## 1) Rules of debate at meetings

- a Motions on the agenda shall be considered in the Order that they appear unless the Order is changed at the discretion of the Chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chairman of the meeting, is expressed in writing to the Chairman.
- h A Community Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the Order directed by the Chairman.
- j Subject to Standing Order 1(k) below, only one amendment shall be moved and debated at a time, the Order of which shall be directed by the Chairman of the meeting.
- k One or more amendments may be discussed together if the Chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A Community Councillor may not move more than one amendment to an original or substantive motion.

- m The mover of an amendment has no right of reply at the end of debate on it.
  
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
  
- o Unless permitted by the Chairman of the meeting, a Llanelly Community Councillor may only speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another Community Councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. to make a point of Order;
  - iv. to give a personal explanation; or
  - v. in exercise of a right of reply.
  
- p During the debate of a motion, a Community Councillor may interrupt only on a point of Order or a personal explanation and the Community Councillor who was interrupted shall stop speaking. A Community Councillor raising a point of Order shall identify the Standing Order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
  
- q A point of Order shall be decided by the Chairman of the meeting and his decision shall be final.
  
- r When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular Standing Order(s) excepting those which reflect mandatory statutory requirements.
  
- s Before an original or substantive motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

- t Excluding motions moved under Standing Order 1(r) above, the contributions or speeches by a Community Councillor shall relate only to the motion under discussion and shall not exceed (3) minutes without the consent of the Chairman of the meeting.

## 2) Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this Standing Order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, any Llanelly Community Councillor or the Chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under Standing Order 2(b) above is ignored, the Chairman of the meeting may take further reasonable steps to restore Order or to progress the meeting. This may include temporarily suspending or closing the meeting

## 3) Meetings generally

Full Llanelly Community Council meetings

Committee meetings

Sub-committee meetings

Co-opted members on to committees

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice** OR The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.

- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with Standing Order 3(e) above shall not exceed (3) minutes unless directed by the Chairman of the meeting.
- g Subject to Standing Order 3(f) above, a member of the public shall not speak for more than (3) minutes.
- h In accordance with Standing Order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
- i A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the Chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting shall direct the Order of speaking.
- l **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted.**
- m **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- n **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Llanelly Community Council may in his absence be done by, to or before the Vice-Chairman of the Llanelly Community Council (if any).**

o **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Llanelly Community Councillor as chosen by the Llanelly Community Councillors present at the meeting shall preside at the meeting.**

p **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Llanelly Community Councillors or Llanelly Community Councillors with voting rights present and voting.**

q **The Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**

*See Standing Orders 5(i) and (j) below for the different rules that apply in the election of the Chairman of the Llanelly Community Council at the annual meeting of the Llanelly Community Council.*

r **Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Llanelly Community Councillor, the voting on any question shall be recorded so as to show whether each Llanelly Community Councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

s The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;
- ii. the names of Llanelly Community Councillors present and absent;
- iii. interests that have been declared by Llanelly Community Councillors and non-Llanelly Community Councillors with voting rights;
- iv. whether a Llanelly Community Councillor or non-Llanelly Community Councillor with voting rights left the meeting when matters that they held interests in were being considered;
- v. if there was a public participation session; and
- vi. the resolutions made.

t *A Llanelly Community Councillor or a non-Llanelly Community Councillor with voting rights who has a personal or prejudicial interest in a matter being considered at a meeting which limits or restricts his right to participate in a discussion or vote on that matter is subject to obligations in the code of conduct adopted by the Llanelly Community Council.*

u **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Llanelly Community Council are present and in no case shall the quorum of a meeting be less than four.**

*See Standing Order 4d(viii) below for the quorum of a committee or sub-committee*

*meeting.*

- v **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
  
- w A meeting shall not exceed a period of (2 hours 15 minutes).

#### **4) Committees and sub-committees**

- a **Unless Llanelly Community Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
  
- b **Members of a committee may include non-Llanelly Community Councillors unless it is a committee which regulates and controls the finances of Llanelly Community Council.**
  
- c **Unless Llanelly Community Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-Llanelly Community Councillors.**
  
- d No person can be co-opted to an outside organisation, other than an elected member of Llanelly Community Council. Any member can be removed from a co-opted position, if that member does not comply with Llanelly Community Council Standing Orders or becomes disqualified, deselected or no longer becomes an elected or co-opted member of Llanelly Community Council.
  
- e Llanelly Community Council may appoint Standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a Standing committee up until the date of the next annual meeting of full Llanelly Community Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to Standing Orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
  - v. may, subject to Standing Orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer (2) days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a Standing committee, appoint the Chairman of the Standing committee;

- vii. shall permit a committee other than a Standing committee, to appoint its own Chairman at the first meeting of the committee;
- viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee.

#### **5) Ordinary Llanelly Community Council meetings**

- a In an election year, the annual meeting of the Llanelly Community Council shall be held on or within 14 days following the day on which the new Llanelly Community Councillors elected take office.**
- b In a year which is not an election year, the annual meeting of a Llanelly Community Council shall be held on such day in May as Llanelly Community Council may direct.**
- c If no other time is fixed, the annual meeting of Llanelly Community Council shall take place at 6pm.**
- d In addition to the annual meeting of Llanelly Community Council, any number of other ordinary meetings may be held in each year on such dates and times as the Llanelly Community Council may direct.**
- e The first business conducted at the annual meeting of Llanelly Community Council shall be the election of the Chairman and Vice-Chairman (if any) of Llanelly Community Council.**
- f The Chairman of Llanelly Community Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of Llanelly Community Council.**
- g The Vice-Chairman of Llanelly Community Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of Llanelly Community Council at the next annual meeting of Llanelly Community Council.**

- h In an election year, if the current Chairman of Llanelly Community Council has not been re-elected as a member of Llanelly Community Council, he shall preside at the meeting until a successor Chairman of Llanelly Community Council has been elected. The current Chairman of Llanelly Community Council shall not have an original vote in respect of the election of the new Chairman of Llanelly Community Council but must give a casting vote in the case of an equality of votes.**
- i In an election year, if the current Chairman of Llanelly Community Council has been re-elected as a member of Llanelly Community Council, he shall preside at the meeting until a new Chairman of Llanelly Community Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of Llanelly Community Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of Llanelly Community Council and Vice-Chairman (if any) of Llanelly Community Council at the annual meeting of Llanelly Community Council, the business of the annual meeting shall include:
- i. In an election year, delivery by the Chairman of Llanelly Community Council and Llanelly Community Councillors of their acceptance of office forms unless Llanelly Community Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of Llanelly Community Council of his acceptance of office form unless Llanelly Community Council resolves for this to be done at a later date;**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of Llanelly Community Council;
  - iii. Receipt of the minutes of the last meeting of a committee;
  - iv. Consideration of the recommendations made by a committee;
  - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vi. Review of the terms of reference for committees;
  - vii. Appointment of members to existing committees;
  - viii. Appointment of any new committees in accordance with Standing Order 4 above;
  - ix. Review and adoption of appropriate Standing Orders and financial regulations;
  - x. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
  - xi. Review of representation on or work with external bodies and arrangements for reporting back;
  - xii. Review of inventory of land and assets including buildings and office equipment;
  - xiii. Confirmation of arrangements for insurance cover in respect of all insured risks;
  - xiv. Review of Community Council's and/or staff subscriptions to other bodies;
  - xv. Review of the Community Council's complaints procedure;



- XVI. Review of the Community Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- XVII. Review of the Community Council's policy for dealing with the press/media; and
- XVIII. Determining the time and place of ordinary meetings of full Community Council up to and including the next annual meeting of the Community Council.

#### **6) Extraordinary meetings of Llanelly Community Council and committees and sub-committees**

- a The Chairman of the Community Council may convene an extraordinary meeting of the Community Council at any time.**
- b If the Chairman of the Community Council does not or refuses to call an extraordinary meeting of Llanelly Community Council within seven days of having been requested in writing to do so by two Llanelly Community Councillors, any two community Councillors may convene an extraordinary meeting of the Community Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Llanelly Community Councillors and severed on the clerk.**
- c The Chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d If the Chairman of a committee or a sub-committee does not or refuses to call an extraordinary meeting within (21) days of having been requested by to do so by (4) members of the committee or the sub-committee, any (2) members of the committee and the sub-committee may convene an extraordinary meeting of a committee and a sub-committee.

#### **7) Previous resolutions**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least (75%) Llanelly Community Councillors to be given to the Proper Officer in accordance with Standing Order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

When a motion moved pursuant to Standing Order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

#### **8) Voting on appointments**

- a Where more than two persons have been nominated for a position to be filled by the Community Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the

list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chairman of the meeting.

#### **9) Motions for a meeting that require written notice to be given to the Proper Officer**

- a A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the Community Council's statutory functions, powers and obligations or an issue which specifically affects the Community Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least (7) clear days before the meeting. (7) Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with Standing Order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with Standing Order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least (7) clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, Llanelly Community Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f Subject to Standing Order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded in a book for that purpose and numbered in the Order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

#### **10) Motions at a meeting that do not require written notice**

- a The following motions may be moved at a meeting without written notice to the Proper Officer;
  - i. to correct an inaccuracy in the draft minutes of a meeting;
  - ii. to move to a vote;

- iii. to defer consideration of a motion;
- iv. to refer a motion to a particular committee or sub-committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the Order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- xii. to not hear further from a Llanelly Community Councillor or a member of the public;
- xiii. to exclude a Llanelly Community Councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular Standing Order (unless it reflects mandatory statutory requirements);
- xvi. to adjourn the meeting; or
- xvii. to close a meeting.

#### **11) Handling confidential or sensitive information**

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b Llanelly Community Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

#### **12) Draft minutes**

- a If the draft minutes of a preceding meeting have been served on the Community Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with Standing Order 10(a) (i) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

- e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or notes, recording of the meeting for which approved minutes exist shall be destroyed.

### **13) Code of conduct and dispensations**

*Standing Order 3(t) above will also apply.*

- a **Llanelly Community Councillors and non-Llanelly Community Councillors with voting rights shall observe the code of conduct adopted by the Llanelly Community Council.**
- b All Llanelly Community Councillors shall undertake training in the code of conduct within 12 weeks of the delivery of their acceptance of office form.
- c **Dispensation requests shall be in writing and submitted to the standards committee of Monmouthshire County Council,** as soon as possible before the meeting that the dispensation is required for. Copies of the dispensation should also be copied to the clerk of **Llanelly Community Council**

### **14) Code of conduct complaints**

- a All complaints relating to breaches of the Code of Conduct by Community councillor representing Llanelly Community Councils should be reported to the Public Ombudsman for Wales
- b Llanelly Community Council may:
  - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
  - iii. Indemnify Llanelly Community Councillor or non-Llanelly Community Councillor with voting rights in respect of his related legal costs and any such indemnity is subject to approval by a meeting of the full Llanelly Community Council.

### **15) Proper Officer**

- a The Proper Officer shall be the clerk; to undertake the work of the Proper Officer when the Proper Officer is absent the community council will nominate a person.

b The Proper Officer shall:

- i. **at least three clear days before a meeting of Llanelly Community Council, an ordinary or committee and a sub-committee serve on Llanelly Community Councillors, by email, delivery by hand or post at their residences, a signed summons confirming the time, place and the agenda.**

OR

at least three clear days before a meeting of Llanelly Community Council, an ordinary or committee and a sub-committee serve on Llanelly Community Councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer.

*See Standing Order 3(b) above for the meaning of clear days for a meeting of a full Llanelly Community Council and Standing Order 3 (c) above for a meeting of a committee.*

- ii. **give public notice of the time, place and agenda at least three clear days before a meeting of the Llanelly Community Council or a meeting ordinary or committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of Llanelly Community Council convened by Llanelly Community Councillors is signed by them);**
- iii. subject to Standing Order 9 above, include on the agenda all motions in the order received unless a Llanelly Community Councillor has given written notice at least (5) days before the meeting confirming his withdrawal of it;
- iv. **convene a meeting of Llanelly Community Council for the election of a new Chairman of Llanelly Community Council, occasioned by a casual vacancy in his office;**
- v. facilitate inspection of the minute book by local government electors;
- vi. **receive and retain copies of byelaws made by other local authorities;**
- vii. retain acceptance of office forms from Llanelly Community Councillors;
- viii. retain a copy of every Llanelly Community Councillor's register of interests;
- ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Llanelly Community Council's policies and procedures relating to the same;
- x. receive and send general correspondence and notices on behalf of the Llanelly Community Council except where there is a resolution to the contrary;
- xi. manage the organisation, storage of, access to and destruction of information held by the Llanelly Community Council in paper and electronic form;
- xii. arrange for legal deeds to be executed;  
*See also Standing Order 22 below.*
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Llanelly Community Council in accordance with the Llanelly Community Council's financial regulations;
- xiv. record every planning application notified to the Llanelly Community Council and the Llanelly Community Council's response to the local planning authority in a book for

- such purpose;
- xv. refer a planning application received by the Llanelly Community Council to the Chairman or in his absence the Vice-Chairman of the Llanelly Community Council OR Chairman or in his absence Vice-Chairman (if any) of the (3) Committee within seven working days of receipt to
  - xvi. facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of [the Llanelly Community Council] OR (3 ) committee];
  - xvii. manage access to information about Llanelly Community Council via the publication scheme; and
  - xviii. retain custody of the seal of Llanelly Community Council (if any) which shall not be used without a resolution to that effect.

*See also Standing Order 22 below.*

#### **16) Responsible Financial Officer**

- a Llanelly Community Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

#### **17) Accounts and accounting statements**

- a "Proper practices" in Standing Orders refer to the most recent version of Governance and Accountability for local Community Councils in Wales – A Practitioners' Guide.
- b All payments by Llanelly Community Council shall be authorised, approved and paid in accordance with the law, proper practices and the Llanelly Community Council's financial regulations.
- c The Responsible Financial Officer shall supply to each Llanelly Community Councillor as soon as practicable after 30 June, 30 September and 30 January in each year a statement to summarise:
  - i. Llanelly Community Council's receipts and payments for each quarter or as close as possible;
  - ii. Llanelly Community Council's aggregate receipts and payments for the year to date;
- iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. each Llanelly Community Councillor with a statement summarising the Community Council's receipts and payments for the last quarter and the year to date for information; and

- ii. to the full Llanelly Community Council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.

e The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by Llanelly Community Council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each Llanelly Community Councillor before the end of the following month of May. The annual return of Llanelly Community Council, which is subject to external audit, including the annual governance statement, shall be presented to Llanelly Community Council for consideration and formal approval before 30 June.

## **18) Financial controls and procurement**

Llanelly Community Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by Llanelly Community Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by Llanelly Community Councillors and local electors of the Llanelly Community Council's accounts and/or Orders of payments; and
  - v. procurement policies (subject to Standing Order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than [£1,500].
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £1,500 shall be procured on the basis of a formal tender as summarised in Standing Order 18(d) below.**
- d Subject to additional requirements in the financial regulations of Llanelly Community Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the Community Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Community Council's written response to the tender and (iv) the prohibition on

- prospective contractors contacting the Community Councillors or staff to encourage or support their tender outside the prescribed process;
- iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one Llanelly Community Councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the Llanelly Community Council or a committee or sub-committee with delegated responsibility.
- e Neither Llanelly Community Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) Llanelly Community Council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, Llanelly Community Council must comply with EU procurement rules.**

#### **19) Handling staff matters**

- a A matter personal to a member of staff that is being considered by a meeting of Llanelly Community Council OR any committee OR sub-committee is subject to Standing Order 11 above.
- b Subject to the Community Council's policy regarding absences from work, the Community Council's most senior member of staff shall notify the Chairman of any committee OR sub-committee or, if he is not available, the vice-Chairman of any committee OR sub-committee of absence occasioned by illness or other reason and that person shall report such absence to any committee OR sub-committee at its next meeting.
- c The Chairman of any committee OR sub-committee or in his absence, the vice-Chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of [the employee's job title]. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the relevant committee OR sub-committee.
- d Subject to the Community Council's policy regarding the handling of grievance matters, the Community Council's most senior employee or other employees shall contact the Chairman of any committee OR sub-committee OR sub-committee or in his absence, the vice-Chairman of any committee OR sub-committee OR sub-committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of any



committee OR sub-committee OR sub-committee.

- e Subject to the Community Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the employee's job title relates to the Chairman or vice-Chairman of any committee OR sub-committee this shall be communicated to another member of any committee OR sub-committee , which shall be reported back and progressed by resolution of the relevant committee OR sub-committee
- f Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g The Community Council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- h Only persons with line management responsibilities shall have access to staff records referred to in Standing Orders 19(f) and (g) above if so justified.
- i Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 19(f) and (g) above shall be provided only to (post holder) and a nominated councillor of Llanelly Community Council.

## **20) Requests for information**

- a Requests for information held by Llanelly Community Council shall be handled in accordance with Llanelly Community Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998 or any amendments.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the relevant committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## **21) Relations with the press/media**

- a Requests from the press or other media for an oral or written comment or statement from Llanelly Community Council, its Llanelly Community Councillors or staff shall be handled in accordance with Llanelly Community Council's policy in respect of dealing with the press and/or other media.

## **22) Execution and sealing of legal deeds**

- a A legal deed shall not be executed on behalf of Llanelly Community Council unless authorised by a resolution.

**Subject to Standing Order 22(a) above, any two Llanelly Community Councillors may sign, on behalf of the Community Council, any deed required by law and the Proper Officer shall witness their signatures.**

*The above is applicable to a Llanelly Community Council without a common seal.*

## **23) Communicating with County or Unitary Councillors**

- a An invitation may be extended together with the agenda, to the ward member/s from Monmouthshire County Council representing the area of the Llanelly Hill area.

## **24) Restrictions on Llanelly Community Councillor activities**

- a. Unless authorised by a resolution, no Llanelly Community Councillor shall:
  - i. inspect any land and/or premises which the Community Council has a right or duty to inspect;
  - or
  - ii. no community councillor should gain access to council property or any property that is leased or licensed to a third party
  - iii. no community councillor should write any correspondence that represents the councils views all correspondence is presented by the clerk or proper officer.
  - iv. issue Orders, instructions or directions.
  - v. no councillor can remain as a co-opted member or represent the community council on any third party, organisation or group, if they are not nominated at a election or by-election and cease to become elected, resigned or becomes disqualified,

## **25) Standing Orders generally**

- a All or part of a Standing Order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Community Council's Standing Orders, except one that incorporates mandatory statutory requirements, shall be proposed by a Special motion, the written notice by at least 7 days Llanelly Community Councillors to be given to the Proper Officer in accordance with Standing Order 9 above
- c The Proper Officer shall provide a copy of the Community Council's Standing Orders to all Llanelly Community Councillor as soon as possible after he has delivered his acceptance of office form.

d The decision of the Chairman of a meeting as to the application of Standing Orders at the meeting shall be final.

Proposed by Cllr ..... Date .....

Seconded by Cllr ..... Date .....

Chairman Cllr ..... Date .....