

STUSTON PARISH MEETING

STANDING ORDERS & FINANCIAL REGULATIONS

INTRODUCTION

A Parish Meeting of all local government electors, in parishes with less than 200 such electors, is a rare form of direct democracy in the United Kingdom. Its purpose is to discuss parish affairs and to exercise any statutory functions conferred on it (Local Government Act 1972 s.9(1)). A Parish Meeting where there is no Parish Council can act as a body corporate only through the Parish Trustees (Chair and 'proper officer' appointed by the District Council) and has only limited and specified powers (though it can seek District Council authority for certain powers of a Parish Council).

The Stuston Parish Meeting was established in 2015 by Order of the Mid Suffolk District Council (MSDC), dated 17 December 2014. Its Proper Officer is the Chief Executive Officer of Mid Suffolk District Council.

These Standing Orders and Financial Regulations were adopted by the Parish Meeting on

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STANDING ORDERS

1 Convening of Meetings

1.1 Meetings shall be convened by the Chair or in his/her absence by the Vice Chair. If urgent business should arise, which cannot wait until the next scheduled Meeting, an Extraordinary Meeting may be convened by the Chair in consultation, where possible, with the Vice Chair the Clerk and the Financial Officer, or by the person representing the village on the Mid Suffolk District Council (MSDC), that is the Member for Palgrave Ward).

1.2 If a written request is made and signed by at least six local government electors of Stuston, the Chair shall convene an Extraordinary Meeting as soon as suitable arrangements can be made.

2 Dates of Meetings

2.1 The dates and times of Meetings shall be arranged so as to enable the efficient conduct of any financial business (see Financial Regulations) and also to be convenient for electors. Stuston Parish Meeting will normally assemble not less than three times a year to include the Annual Parish Meeting (APM), which must be held on a date from 1 April to 1 June inclusive.

- a) Election of officers must be held at the APM.
- b) A final statement of the accounts for the year ending 31 March, prepared in line with current requirements, will be presented for agreement at the APM.
- c) The budget will be presented and the annual precept agreed at a Meeting in January.
- d) A Meeting will also be held in the autumn.

2.2 At each Meeting a date and time, after 6pm, for the next Meeting shall be agreed, if possible. The agreed date may be varied by the Chair in consultation with the Vice Chair the Clerk and the Financial Officer if circumstances make this necessary. Any new date or Meeting place shall then be announced as specified in s3.

3 Notice of Meetings

As far as possible, a Notice of Meeting will be delivered to each Stuston household. In the case of the Annual Meeting notice will be given two weeks before the Meeting. For other Meetings (with the exception below) at least seven days' notice will be given. In any case details of forthcoming Meetings will be posted on the village website and notice board.

Fourteen clear days' notice will be given of any Meeting to discuss the grouping of Stuston with another parish or parishes under a common parish council.

4 Conduct of Meetings

4.1 Those entitled to attend and vote

- a) All local government electors for Stuston are entitled to attend all Meetings and to vote on any matter.
- b) Persons other than members of the Meeting may attend, but may not vote.

4.2 Quorum: A Meeting shall not be held unless a minimum of five electors are present; at least one of these must be the Chair, Vice Chair the Clerk or the Financial Officer.

4.3 Absence of the Chair: The vice Chair will preside in the absence of the Chair. If both are absent, the Meeting shall appoint another elector who, for the duration of that Meeting, shall have the powers and authority of the Chair.

4.4 Voting at Meetings

- a) A Meeting may discuss any village matter and either adopt resolutions thereon, if it is within the competence of the Parish Meeting, or make representations to the appropriate authority. There must be a proposer and seconder for each resolution.
- b) Every resolution shall be decided by a majority of those present who are entitled to vote. Votes will normally be taken by a show of hands, except for a contested election of officers (see s 5.3b)). The Chair is required to announce the result of a vote. That decision shall be final, unless a secret ballot is demanded before the end of the Meeting.
- c) The secret ballot may only be held if it is agreed by the Chair or insisted upon by at least one-third of the electors present.
- d) In addition to his/her right to vote in the first instance, in the case of an equality of votes, the Chair will have a second or casting vote.

4.5 Declaration of an interest

- a) Those attending a Meeting at which a matter is discussed in which they have a direct interest shall declare their interest at the beginning of the section of the Meeting during which this matter is discussed. For best practice the Department for Communities and Local Government publication "Openness and Transparency on Personal Interests" September 2013 will be followed with regard to the Declaration of Interests.
- b) If the Chair, Vice Chair, Clerk, Financial Officer or any other elected official has declared a direct interest in any matter, he or she should stand down from his/her official position during the discussion of that item, unless the Meeting decide otherwise.

4.6 Agenda for Meetings

- a) The agenda is drawn up by the three elected officers (see s 5.1(a)) and circulated to electors with the Notice of Meeting/posted on the Parish Noticeboard and website.
- b) Other items may be added, at the discretion of the Chair, if requested at or before the Meeting. If such an additional item requires more detailed consideration than the time allows, the Chair shall end the discussion and instruct that the item be put on the Agenda for another Meeting.

4.7 Close of Meeting: When the business of the Meeting has been completed, the Chair shall close the Meeting by leaving the chair. No other business shall then be transacted or recorded.

5 Elected officers and other officials of the Village Meeting

5.1 Officers: The officers of the Parish Meeting are: the Chair, Vice Chair, Clerk and Financial Officer (for responsibilities see Financial Regulations s 1.3); they are elected annually (see s 5.2). Candidates for these three posts must all be local government electors for Stuston.

The officers and other officials may not receive any honorarium for their services, but agreed expenses incurred may be paid.

5.2 Election of officers and officials

- a) Elections shall take place as the first item of business at the APM for a Chair, Vice Chair, Clerk and Financial Officer, to hold office until the elections at the next APM. A candidate may vote for her/himself.
- b) Candidates are asked to notify the Clerk two weeks before the Annual Parish Meeting if they wish to stand. If a candidate for any post is unable to attend the meeting, they must write a letter to the Clerk in advance, confirming that they wish to stand.
- c) An Internal Auditor shall be elected annually; she or he need not be a local government elector for Stuston.
- d) If an officer or official leaves his/her post during the year, there shall be an election of a replacement for the remaining portion of the year, if possible at the next scheduled Meeting.

5.3 Procedure for election of Chair

- a) When this item of the agenda is reached a temporary Chair who is not a candidate shall be appointed to conduct the election. This is usually the Vice Chair, unless he/she is a candidate. If there is no Vice Chair present the electors of the Parish may request one of the other elected officers present at the meeting, the District Councillor for Palgrave Ward or an elector of the Parish to assume the temporary role of Chair. The Meeting will then proceed to choose the Chair, who will hold this office until the election at the next APM.
- b) If more than one candidate is proposed and seconded, the temporary Chair shall put the names of the candidates to the Meeting, and take the votes for each candidate by secret ballot. If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

- c) The temporary Chair shall declare elected that candidate who obtains the largest number of eligible votes cast. In event of a tie, she/he shall have a casting vote.

5.4 Procedure for the election of other officers and officials

The Chair shall then proceed to the election of a Vice Chair, Clerk and Financial Officer, who will all hold office until the next APM. Their elections shall be conducted in a similar manner to that described in Section 5.3(b).

An Internal Auditor, other officials and Minutes Secretary are elected in the same manner.

Appointments for other specified tasks may be made at any Meeting. Where appropriate, the terms of reference, and the period of time for which the position is to be held, should be agreed by the Meeting before the appointment is made. If more than one name is proposed and seconded an election shall be held in the manner described in s 4.4(b) and 5.3(b).

5.5 Delegated powers of officers between Meetings

Matters that arise between Meetings, for example Freedom of Information requests, planning applications, settlement of financial matters and accounts, can be dealt with by the three elected officers. If they decide that it is not necessary or is not practicable to call an Extraordinary Meeting they are empowered to take action as a Committee on behalf of the Parish Meeting, except for any matter which the Parish Meeting may have voted to exclude. Actions of this Committee shall be reported to the next Parish Meeting. If any expenditure is involved, Section 3.3 of the Financial Regulations must be observed.

6 Committees

The Parish Meeting may appoint committees of its members with specific terms of reference to discharge any of its functions for terms up to the next APM. The committee may carry out the wishes of the Meeting, to which it reports. Any such arrangement will not prevent the Meeting from exercising those functions.

7 Minutes of Meetings and other documents – Freedom of Information Act 2000

7.1 Minutes of the proceedings of every Parish Meeting shall be kept by the Clerk. She/he may be assisted by a Minutes Secretary, if agreed by the Meeting. In the absence of the Clerk, a Minutes Secretary shall be agreed for that Meeting. The Minutes should include a summary of all matters discussed, and the results of all votes and elections. The Minutes shall be signed by the Chair of the next Meeting, after a majority of those present have agreed that, amended if necessary, they are a true record. Copies will be posted on the village website and notice board.

7.2 The Clerk shall retain all important documents. On relinquishing office he/she shall pass them on to the next Clerk or, if the Parish Meeting so direct, deposit them with the Suffolk Record Office.

7.3 Upon application to the Clerk, all Parish Meeting minutes and other official documents and correspondence shall be available for inspection at the earliest practicable occasion, in accordance with our obligations under the Freedom of Information Act 2000. Most important documents will also be made available on-line, where possible and with regard to the Department for Communities and Local Government “Transparency Code for Smaller Authorities” published December 2014.

8 Revision of Standing Orders and Financial Regulations

8.1 It shall be the duty of the Parish Meeting to review the Standing Orders and Financial Regulations of the Parish Meeting from time to time **and at least every 3 years**. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the Parish Meeting of any requirement for a consequential amendment.

8.2 Any member of the Parish Meeting may ask that a review of existing Standing Orders, Financial Regulations or risk management arrangements be added to the agenda of the next Meeting.

FINANCIAL REGULATIONS

1 General

- 1.1 These financial regulations shall govern the conduct of financial management by Stuston Parish Meeting and may only be amended by resolution of the Parish Meeting. (See Section 9.2)
- 1.2 The Parish Meeting shall from time to time, as necessary, conduct a review of the effectiveness of its system of internal control, which shall be in accordance with proper practices.
- 1.3 The Responsible Financial Officer (RFO) is a statutory office. The RFO is also the Treasurer for Stuston Parish Meeting.

2 Annual estimates

- 2.1 Detailed estimates of all receipts and payments, including use of reserves and all sources of funding for the year, shall be prepared each year by the RFO, in the form of a budget to be considered by the January Parish Meeting.
- 2.2 The Parish Meeting shall review the budget not later than the end of January each year and fix the precept to be levied for the ensuing financial year. The RFO shall issue the precept to the billing authority.

3 Budgetary control

- 3.1 Expenditure on revenue items may be incurred up to the amounts included for that class of expenditure in the approved budget.
- 3.2 The RFO shall provide the Parish Meeting with the accounts, a statement of receipts and payments to date under each of the budget heads, and shall draw attention to the actual income and expenditure against that planned in the budget.
- 3.3 The RFO or Clerk, with the agreement of the Chair (or in his absence, the Vice Chair), may incur expenditure on behalf of the Parish Meeting in urgent circumstances. The RFO or Clerk shall report such action to the next Parish Meeting.

4 Accounting and audit

- 4.1 All accounting procedures and financial records of the Parish Meeting shall be determined by the RFO in accordance with the Accounts and Audit Regulations.
- 4.2 The RFO shall complete the annual financial statements of the Parish Meeting, including the Parish Meeting's annual return, as soon as practicable after the end of the financial year and shall submit them to the Parish Meeting.
- 4.3 An Internal Auditor shall be appointed by and shall carry out the work required by the Parish Meeting in accordance with proper practices. The appointment will normally take place at the Annual Meeting.
- 4.4 The RFO shall make arrangements for the opportunity for inspection of the accounts, books and vouchers and for the display or publication of any notices and statements of account required by the Audit Commission Act 1998 and the Accounts and Audit Regulations.
- 4.5 The RFO shall, as soon as practicable, bring to the attention of the Parish Meeting any correspondence or report from the internal or external auditor, unless the correspondence is of a purely administrative matter.

5 Banking arrangements

- 5.1 The Parish Meeting's banking arrangements, including the bank mandate, shall be made by the RFO in consultation with the Chair and Vice Chair, and shall be approved by the Parish Meeting.
- 5.2 All payments must be for items that have been previously approved by the Parish Meeting, except for urgent matters as covered by paragraph 3.3.
- 5.3 Cheques drawn on the bank account shall be signed by any two of the following officers: the Chair, Vice Chair, Clerk and RFO.

5.4 To indicate agreement of the details shown on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the invoice and the cheque counterfoil.

6 Payment of accounts

6.1 All payments shall be effected by cheque or other order drawn on the Parish Meeting's bankers.

6.2 The Parish Meeting will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by an elected officer (for example for postage or minor stationery items) shall be refunded on a regular basis.

7 Insurance

Following risk assessment (per Financial Regulation 8), the RFO, in consultation with the Chair and Vice Chair, shall affect all insurances and negotiate all claims on the Parish Meeting's insurers.

8 Risk management

The Parish Meeting is responsible for putting in place arrangements for the management of risk. The Clerk and RFO shall where necessary prepare, for approval of the Parish Meeting, risk management statements in respect of activities of the Parish Meeting. Risk policies and consequential risk management arrangements shall be reviewed by the Parish Meeting from time to time, as necessary.