

HERMITAGE PARISH COUNCIL

Procedures and Regulations

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March 2008.

HERMITAGE PARISH COUNCIL

STANDING ORDERS.

1. Meetings of the Council shall be held on the third Thursday of each Month, at 7.45pm, or at such other date and time as is decided by the Council, at the Adelaide Room, Holy Trinity Church, Hermitage, or, if this location is unavailable, at any other location permitted under the LGA 1972.

2. The Annual Meeting of the Council shall be held -

(a) in an election year on the Monday next following the fourth day after the ordinary day of elections to the Council or

(b) in a year which is not an election year on the third Thursday in May or at such other day in May as is determined by the Council..

3. Chairman of Meeting

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

4. Proper Officer

Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, he shall be the Clerk:-

- (a) To receive declarations of acceptance of office.
- (b) To receive and record notices disclosing prejudicial or other interests.
- (c) To receive and retain plans and documents.
- (d) To sign notices or other documents.
- (e) To receive copies of byelaws made by a District Council.
- (f) To certify copies of the byelaws made by the Council.
- (g) To sign summonses to attend meetings of the Council

In any other case the Proper Officer shall be the person nominated by the Council and in default of nomination, the Clerk.

5. Quorum

Four members shall constitute a quorum.

If a quorum is not present when the Council meets or, if during a meeting the number of Councillors present and not debarred by reason of a declared interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting.

6. Voting

Members shall vote by show of hands or , if at least two members so request, by signed ballot. If a member so requires, 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.

Subject to (i) and (ii) below the Chairman 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 gave no original vote.

- (i) If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.
- (ii) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

7. Order of Business - Annual Meeting of the Council.

The order of business shall be -

- (a) To elect a Chairman
- (b) To receive the Chairman's Declaration of Acceptance of Office.
- (c) To elect a Vice-Chairman.
- (d) To confirm the Financial Standing Orders.

8. Order of Business - Other than the Annual meeting of the Council.

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.

- (j) A motion to vary the order of business on the ground of urgency or preference may be proposed by the Chairman and may be put to the vote without discussion.

9. Resolutions Moved On Notice

Except as provided in these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk.

Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects the area.

10. Resolutions Moved Without Notice

Resolutions dealing with the following matters may be moved without notice;-

- i To appoint a Chairman of the meeting
- ii To correct the minutes

- iii To approve the minutes.
- iv To alter the order of business
- v To proceed to the next business.
- vi To adopt a report
- vii To close or adjourn a debate
- viii To amend a resolution
- ix To refer a matter to a committee
- x To appoint a committee of members
- xi To extend the time limit for speeches
- xii To suspend any Standing Order

11. Rules of Debate.

- i No discussion shall take place upon the Minutes except upon the accuracy of the minutes. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- ii A resolution or amendment shall not be discussed unless it has been proposed (and seconded) and unless proper notice has already been given.
- iii A member shall direct his speech to the question under discussion or to a personal explanation.
- v No speech by a mover of a resolution shall exceed 3 minutes, and no other speech shall exceed 2 minutes, except by consent of the Chairman.
- vi An amendment shall be either:-
 - i To leave out words or
 - ii To leave out words and insert or add others
 - iii To insert or add words.
 - iv An amendment shall not have the effect of negating the motion before the Council.
 - v If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
 - vi A further amendment shall not be moved until every previous moved amendment has been cleared.
 - vii The ruling on a point of order by the Chairman, or on the admissibility of a personal explanation, shall not be discussed.
 - viii The mover of a resolution or of an amendment shall have a right of reply, not exceeding 2 minutes.
- vii Whenever the Chairman rises to his feet during a debate all other Members shall be seated and silent.
- ix A motion of closure of a debate may be moved at any time but must be proposed and seconded without comment. The Chairman may refuse such motion if he feels that the question before the Council has not been sufficiently debated.
- x Except at the discretion of the Chairman, all meetings of the Council shall finish not later than two and a quarter hours after commencement.

12. Disorderly Conduct

No Member shall at a meeting persistently disregard the ruling of the Chairman , wilfully obstruct business, or behave irregularly, offensively, improperly, or in such a manner as to scandalise the Council or bring it into contempt or ridicule. If, in the opinion of the Chairman a Member has broken the above provisions, he shall express that opinion to the Council, and any Member may move that the Member named be no longer heard, or that the Member named do leave the meeting, and the motion, if seconded, shall be actioned forthwith.

15 Planning Applications

The Clerk shall give notice of each application to any appointed representative, who in turn will examine, discuss, and report back to the Chairman. The Chairman may then convene the Planning Committee of the Council, who will report to the Council at either -

- i The next Ordinary meeting of the Council or,
- ii At a specially convened and properly advertised meeting of the Council.

Decisions for communication to the District Council on planning matters may only be taken by the Council in public session.

16 Variation, Revocation, and Suspension of Standing Orders

To the extent permitted by law any or every part of the Standing Orders may be suspended by resolution in relation to any specific item of business.

A resolution permanently to add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next Ordinary meeting of the Council.

17 Sealing of Documents

- i A document may not be executed as a Deed unless it's execution has been authorised by a resolution.
- ii Any two Members of the Council named in a resolution moved under paragraph (i) preceeding may sign on behalf of the Council any document required by law to be executed as a Deed.

18 Committees.

The Council may at it's Annual Meeting appoint standing Committees and may at any other time appoint such other Committees as are necessary, but subject to any statutory provisions in that regard -

- i shall not appoint any member on any Committee so as to hold office later

- than the next Annual Meeting.
- ii may appoint persons other than members of this Council to any Committee.
- iii may at any time dissolve or alter the membership of a Committee and may
- iv make such procedural rules and Standing Orders in relation to any such Committee as it thinks fit

Voting in Committee.

- i Members of Committees entitled to vote shall vote by show of hands, or, if at least two members so request, by signed ballot.
- ii Chairmen of committees shall in the case of an equality of votes have a second or casting vote

1. The Annual Parish Assembly.

The Annual Parish Assembly shall be held on a date determined by the Council between March 1st and May 31st each year.

Each Annual Parish Assembly shall be presided over by the Chairman of the Parish Council, or, in the absence of the Chairman, by another member of the Council..

The order of business shall be -

- i The receipt of any apologies.
- ii The Chairmans Report
- iii The Clerk and RFO's Report.
- iv The receipt of reports from local organizations.
- v Open Forum - participation by the public.

HERMITAGE PARISH COUNCIL.

FINANCIAL STANDING ORDERS.

1. General.
 - i A Responsible Finance Officer (R. F. O.) shall be appointed by the Council under the terms of Section 151 of the Local Government Act 1972.
 - ii These financial regulations shall govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council.
 - iii The R.F. O. under the policy direction of the Council, shall be responsible for the proper administration of the Council's financial affairs in accordance with his duties.

2. Duties of the Responsible Finance Officer (R.F.O.)
 - i To prepare financial reports for the Council, covering budget monitoring, fund balances, receipts to date, payroll summary, payment of accounts and other relevant current matters.
 - ii To prepare draft budget estimates. When approved or amended by Council these will form the basis for annual monitoring during that financial year.
 - iii To submit the Precept to the District Council and supply any breakdown requested.
 - iv To manage cash flow and bank transfers.
 - v To control payments by cheque.
 - vi To take responsibility for reclaiming V.A.T. and the necessary returns.
 - vii To prepare final accounts in accordance with legal requirements.
 - viii To produce accounts and records for external audit in accordance with legal requirements.
 - ix To manage insurance risk and to ensure that claims are processed as necessary,
to report annually to Council on insurance risk covered and to ensure that adequate fidelity guarantee insurance is provided.
 - x To maintain the Council's register of property and assets.
 - xi To obtain adequate quotations (3 where practicable) for work being undertaken by outside contractors or suppliers.

3. Banking Arrangements and Cheques.
 - i. The Council's banking arrangements shall be as approved by the Council in Annual meeting, and managed by the R.F.O During the ensuing year no changes may be made without the approval of the Council.
 - ii A schedule of payments shall be prepared by the R.F. O. and presented to the Council for approval.
 - iv Cheques shall require any 2 signatures with all Councillors being approved as cheque signatories.

4. Payment of salaries and expenses.

- i Salaries shall be paid monthly by Standing Order, or at an Ordinary Parish Council meeting, in arrears. Expenses may be authorised and paid at an Ordinary Council meeting.
- ii The relevant payments shall be made to cover National Insurance and Inland Revenue requirements where applicable. Detail of individual payments shall be kept by the R.F.O. with the Council's accounts records.

5. Accounting and Audit.

- i All accounting procedures and financial records of the council shall be determined by the R.F.O., as required by the Accounts and Audit Regulations 1996, the Accounts and Audit (Amendment)(England) Regulations 2001, and other applicable legislation.

6. Internal Audit Arrangements.

- i The R.F.O. should, at no more than quarterly intervals, present to the Council Bank Statements, together with the monthly Statement of Receipts and Payments, showing the balance of funds at the Bank. A Councillor should check and sign that the balance of funds at the Bank corresponds with that shown on the Statement of Receipts and Payments as presented.

7. Budgetary Control.

- i Expenditure may be incurred up to the amounts included in each approved budget item.
- ii No expenditure may be incurred for an item shown in the budget if that expenditure would exceed the budgeted amount, unless authorised by the Council, and such authorisation noted in the minutes.

8. Income.

- i The R. F. O shall be responsible for the collection of all sums due to the Council.
- ii Any bad debts shall be reported to the Council.
- iii The Council shall review all fees and charges annually.

HERMITAGE PARISH COUNCIL.

COMPLAINTS PROCEDURE.

- i If a complaint about procedures or administration is notified orally to a Councillor or the Clerk and it is not possible to satisfy the complainant fully forthwith, the complainant shall be asked to put his complaint in writing to the Clerk and be assured that it will be dealt with promptly after receipt.
- ii If a complainant indicates that he would prefer not to put the complaint to the Clerk he shall be advised to put it to the Chairman.
- iii On receipt of a written complaint, the Clerk or Chairman, as the case may be, shall (except where the complaint is about his own actions) try to settle the complaint directly with the complainant, but shall not do so in respect of a complaint about the behaviour of the Clerk or a Councillor without notifying the person complained of and giving him an opportunity to comment on the manner in which it is intended to attempt to settle the complaint. Where the Clerk or Chairman receives written complaint about his own actions, he shall forthwith refer the complaint to the Council.
- iv The Clerk or Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
- v The Clerk or Chairman shall bring any written complaint which cannot be settled to the next meeting of the Council, and the Clerk shall notify the complainant on which date the complaint will be considered. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public, but any decision on a complaint shall be announced at the Council meeting in public.
- vi As soon as may be after the decision has been made it and the nature of any action to be taken shall be communicated in writing to the complainant.

HERMITAGE PARISH COUNCIL.

HEALTH AND SAFETY POLICY STATEMENT.

Health And Safety at Work etc Act 1974

Our statement of general policy is :

- i To consult with our employees on matters affecting their health and safety.
- ii To provide safe plant and equipment and ensure that it is inspected periodically and suitably maintained.
- iii To ensure safe handling and use of substances where this is within the Council's control..
- iv To provide appropriate information, instruction and supervision for employees.
- v To ensure all employees are competent to do their tasks, and to give them adequate training where required.
- vi To use all reasonable endeavours to prevent accidents and cases of work related ill health.
- vii To maintain safe and healthy working conditions.
- viii To review and revise this policy as necessary at regular intervals.

.....
Chairman.

.....
Date.

Responsibilities under this Policy.

- i The overall and final responsibility for Health and Safety is that of the Council.
- ii Day to day responsibility for ensuring this policy is put into practice is delegated to the Clerk
- iii All Councillors must be mindful of the need for good safety practices, and should advise the Clerk of any observed failures of the above Policy.

HERMITAGE PARISH COUNCIL

Chairman.

Ms R Cottingham.

Dear

Health & Safety at Work.

Your attention is drawn to your responsibilities under the Health and Safety at Work etc Act 1974 to ensure a safe working environment. The Health & Safety Policy of our Council is enclosed.

You should ensure that in carrying out the work involved, all staff have:-

- i Received appropriate training for all the work to be done and all equipment to be used.
- ii Have been provided with, and use ,appropriate personal protective equipment.
- iii Have been provided with appropriate First Aid materials.
- iv Take appropriate measures to protect other employees and members of the public from potentially hazardous equipment or materials. In particular, to avoid using equipment such as mowers, strimmers etc within 15 metres of any person other than the operator.
- v Report to the Clerk, as soon as possible, any accidents or hazardous incidents.

You are also required to have appropriate third party liability and employers insurance coverage.

Yours sincerely

C.W.Goudge.

Clerk to the Parish.

Mr C.W.Goudge. Nova, Coppid Hill, Barkham Road, Wokingham. RG41 4TG
Telephone 0118 977 3553
Email billgoudge@aol.com

HERMITAGE PARISH COUNCIL

Part-time Clerk Contract of Employment

This Agreement dated sets out the particulars of main terms and conditions which form the Contract of Employment on which Hermitage Parish Council (hereinafter called 'the Council') employs Mr C.W.Goudge as Part-time Clerk.

1. **The date the Clerk commenced.** 1 June 2007
2. **Title** Clerk to the Council
3. **Place of Work**
The office of the Council shall be deemed to be situated at the private dwelling of the Clerk.
4. **Salary and Expenses**
The salary of the Clerk from the date of this Contract shall be £ per year, paid monthly. The salary will be reviewed annually in line with NALC recommend rates per hour. Any expenses incurred by the Clerk in the performance of his duties shall be repaid by the Council, including the use of his own vehicle on the business of the Council (in accordance with the NALC recommended rates for casual users).
5. **Hours**
Subject and without prejudice to the provisions of Clause 6, the Clerk's hours of work will be at his discretion, but it is anticipated that this will be ordinarily a minimum of 32 hours per month.
6. **Duties**
The Clerk shall duly and faithfully carry out all lawful orders and instructions of the Council and shall perform all the duties attached to the office of Clerk and shall take all reasonable steps to protect or promote the interests of the Council and without prejudice to the foregoing shall especially:
 - i Attend all duly convened meetings of the Council and keep the Minutes thereof
 - ii Despatch promptly all such notices, letters and other documents as the due transaction of the business of the Council shall require
 - iii Attend all such meetings and conferences as may be necessary for the proper discharge of the duties of the Clerkship or as the Council shall reasonably require
 - iv Keep safely and conveniently in secure but accessible custody, all deeds, plans, records, letters, writings and other documents of or concerning the Council which shall come into the Clerk's hands.
 - v Act as the Responsible Financial Officer with duties as outlined in the Financial Regulations adopted by the Council in February 2003.
7. **Leave.**
The Clerk shall at times agreed with the Chairman be entitled to annual leave for the purpose of holidays.
8. **Training**
The Clerk shall be permitted to attend approved training courses at the expense of the Council.

9. **Insurance**

The Council shall enter into a suitable insurance policy to cover the Clerk against accidental personal injury arising from and in the course of his duties.

10. **Indemnity**

The Council hereby indemnifies the Clerk against all claims which may be made against him at any time in respect of any act or omission by the Clerk during the currency of this agreement if either

- (a) the Council expressly directed the act or omission or
- (b) the Clerk's act or omission was reasonably intended for the protection or the furtherance of the interests of the Council.

11. **Redress of Grievances**

The Clerk may apply in writing to the Chairman of the Council for redress of any grievance relating to his employment. The matter shall thereupon be discussed and resolved by the Council after giving the Clerk (and/or a representative) the opportunity to explain the application orally to the meeting. The Council shall consider any such application in the absence of the public and press.

If the Clerk be dissatisfied with the Council's decision the dispute shall be referred in writing jointly to NALC for a binding decision.

12. **Disciplinary Rules**

Before any disciplinary action of any kind is taken by the Council, a notice in writing signed by the Chairman and authorised by the Council shall be given to the Clerk with an opportunity to answer the complaint at a meeting of the Council in the absence of the public and press.

13. **Gratuity**

Since the Clerk is not entitled to a pension, provided a period of not less than 5 years has been served, the Council shall upon termination of this agreement have the right to exercise its power to pay a gratuity to the Clerk under part K of the Local Government Superannuation Regulations 1986 or any enactment amending or replacing the same.

14. **Termination**

This agreement may be determined at any time by three months notice thereof in writing given by the Clerk to the Chairman of the Council or given by any two members of the Council to the Clerk pursuant to a resolution of the Council.

Upon termination of this agreement the Clerk or the Clerk's representative shall forthwith deliver to the Council all moneys, drafts, securities and chattels to which it is entitled together with all deeds, plans, records, letters and other documents belonging to or concerning the business of the Council.

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Chairman. Date

.....
Clerk. Date

HERMITAGE PARISH COUNCIL.

PUBLICATION SCHEME

UNDER THE FREEDOM OF INFORMATION ACT 2006.

All documents are available upon application to the Clerk to the Council at -

Nova,
Coppid Hill,
Barkham Road,
Wokingham Berkshire. RG41 4TG
Telephone 0118 977 3553
Email billgoudge@aol.com

Core classes of information.

1. Council Internal Practice and Procedure.

Information available.	Format in which it is available.	Charge to supply
Minutes of the Council. (Limited to the last two years)	A4 loose sheets. Generally 4 - 5 pages.	£1 per sheet.
Procedural Standing Orders	A4 loose sheets. 3 Pages.	£1 per sheet.
The report of the Council to the Parish Assembly.	A4 loose sheets. Generally 3 pages.	£1 per sheet.

2. Code of Conduct.

Member's Declaration of acceptance of Office.	A4 sheet - 1 page.	£1
Member's Register of Interests	The Council will direct all applications to the District Council.	N/A
Register of Member's Interest book, recording any changes in Interests.	The Council will direct all applications to the District Council.	N/A

3. Periodic Electoral Review.

Information relating to the last Periodic Electoral Review of the area.	Printed document of some 30 pages.	£5
Information relating to the latest boundary review of the Parish.	Printed document of some 30 pages	£5

4. Employment practice and Procedure.

Terms and Conditions of Employment Note: Salary details are excluded.	A4 loose leaf format of some 3 pages.	£1 per page.
Job descriptions.	A4 loose leaf format of some 2 pages.	£1 per page.

5. Planning Documents.

Responses to planning applications.	These are the standard District Council response forms, and are available by post. Documents may be 2 pages in length.	£1 per page.
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6. Audit and Accounts.

Annual Return form for the last financial year.	A4 loose leaf of four pages.	£1 per page.
Annual Statutory Report by the Internal or External Auditor.	A4 loose leaf of 2 pages.	£1 per page
Receipts and Payments schedules.	A4 loose leaf of some 4 pages.	£1 per page.
Precept request for the last financial year.	A4 format of one page.	£1.
VAT records for the last financial year, where this is not deemed to be confidential.	A4 loose leaf of one page.	£1
Financial Standing Orders & Regulations.	A4 loose leaf of three pages	£1 per page.
Assets Register.	A4 loose leaf of two pages	£1 per page.

