



# **Dartmoor Forest Parish Council**

## **Governance – 1**

### **Standing Orders**

## Record of Amendments and Reviews

<u>Version</u>	<u>Comment</u>	<u>Date of Adoption</u>
1	Standing Orders created in modern format	6 October 2003
2	Revised Standing Order 15 and 17 adopted to give delegations to committees. Standing Orders 1-5, 6-14, and 16, 18-19 reviewed and readopted without change.	7 January 2008
3	Revised Standing Orders 1-5 adopted to meet new requirements. Standing Orders 6-14 and 15-19 reviewed and readopted without change.	7 September 2009
3	All Standing Orders reviewed and readopted in single document.	27 October 2016
4	New Standing Orders 17.5-17.9 adopted to create new Fundraising Committee with delegated powers.	22 October 2019
4	All Standing Orders reviewed and readopted.	28 April 2021
5	New Standing Orders 17.10-17.21 adopted to create new Employment Committee with delegated powers.	26 October 2021

Next review required by:	28 April 2022
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## **Standing Orders 1 to 5 – Public Participation at Parish Council Meetings**

1. At all meetings of the Parish Council the Chair may, at his/her discretion and at a convenient time in the transaction of business, allow any members of the public to address the meeting in relation to the business to be transacted. The Code of Conduct shall apply to members of the Council in respect of the entire meeting. Where, however, members of the Council exercise their rights in respect of SO 2 (below), members of the public shall be allowed to attend the meeting to:

- a) Make representations
- b) Answer questions
- c) Give evidence relating to the business to be transacted

2. At all meetings of the Council the Chair may permit members of the Council (including co-opted members as defined by s.49(7) Local Government Act 2000) who have a prejudicial interest in relation to any item of business to be transacted at that meeting to:

- a) Make representations
- b) Answer questions
- c) Give evidence relating to the business to be transacted.

Such members shall leave the meeting after completion of their contribution and shall not hear the contributions of others.

3. Sessions at which members of the public, and members of the Council who have a prejudicial interest, are allowed to address the meeting form part of the Council meeting at law and shall be duly minuted. The identity and contribution of members of the public may be minuted, if appropriate. Members of the public who object to their contribution being minuted are free to express their views on any business to the Council in writing and, if necessary, in confidence. A record of written representations “in confidence” may still be disclosable under the Freedom of Information Act 2000.

4. The Chair may, at his/her discretion, limit the duration of public sessions and/or individual contributions, including contributions from members of the Council having a prejudicial interest in the item of business to be transacted.

5. The rights of participation in SO 1 and SO 2, above, shall not affect the Council’s right to exclude the public from a meeting of the Council whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other reasons stated in the resolution (as defined in s.1(2) Public Bodies (Admission to Meetings) Act 1960). A member of the Council with a prejudicial interest in business being transacted in closed session must leave the meeting as soon as the interest becomes apparent. In this situation, neither the member with a prejudicial interest nor a member of the public shall be entitled to make representations, answer questions or give evidence.

Note: The rights of participation in SO 1 to SO 5 above cover the situations where there is a statutory right for members of the public to be heard (e. g. planning matters). Formal Public Sessions identified in the Agenda are not part of normal business and not within the scope of these SOs.

### **Standing Orders 6 to 14 – Contracts**

6. Where it is intended to enter into a contract exceeding £1,000 in value for the supply of goods or materials or for the execution of works, the clerk shall give at least three weeks' public notice of such intention in the same manner as public notice of meetings of the Council is given. If considered desirable, or necessary, the procedure in Standing Order 7 below may be used in addition
7. Where the value of the contract exceeds £1,000, similar notice may be given in addition in such newspapers circulating in the district as the Council shall direct.
8. Notice of a contract exceeding £1,000 shall state the general nature of the intended contract and state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of the post.
9. For works not exceeding £1,000 the Council shall direct the tender method considered most appropriate to achieve the required response for execution of the works.
10. Tenders shall be opened by the clerk, or other person to whom tenders are required to be addressed, on the date specified as in Standing Order 8 above and shall be reported by the person who opened them to the Council or, where tenders have been sought by a committee or sub-committee, to that committee or sub-committee.
11. Neither the Council nor any committee or sub-committee is bound to accept the lowest tender
12. If no tenders are received, or if all the tenders are identical, the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.
13. Canvassing of members of the Council, or of any committee or sub-committee, directly or indirectly, for any contract issued for tender by the Council shall disqualify the canvasser from consideration for such contract.
14. A member of the Council, or any committee or sub-committee, shall not solicit for any tenderer for contract issued for tender by the Council or committee or sub-committee but any such member may give a written or verbal testimonial of a contractor's ability, experience or character for submission to the Council or committee or sub-committee for consideration with the assessment of tenders.

## **Standing Order 15 – 19 - Scheme of Delegation**

15. Under normal circumstances all decisions are reserved for the full Parish Council. However, statute requires 3 clear days between the issue of a summons to councillors and the day of the council meeting. Councillors cannot make decisions individually or collectively in relation to the performance of the Parish Council's statutory powers and other functions outside meetings. Consequently, the Parish Council has made the following Scheme of Delegation under section 101(1) of the Local Government Act 1972 to cover the specific circumstances detailed below:

### The Emergency Committee of the Parish Council

15.1 To take action on behalf of the Council in cases of urgency or emergency that cannot wait until the next normal Council meeting.

15.2 To incur expenditure on behalf of the Council that is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure.

15.3 To be bound by the Standing Orders of the Parish Council, with the exception of SO 6 - 8 which may be suspended by a majority vote of the Emergency Committee to remove the requirement for public notice and tendering for services exceeding £1000.

15.4 To be quorate with 3 elected or co-opted councillors. All Councillors of DFPC are appointed as members of the Emergency Committee. The chair will be a Chair or Vice-Chair of the Parish Council or in their absence appointed by majority vote of Councillors present.

15.5 To appoint specialist advisors to the committee but such advisors may not vote on committee decisions or expenditure.

15.6 An Emergency Committee meeting may be called by the Parish Clerk, a Chair or a Vice-Chair of the Parish Council, or in the absence of all of these, by any Councillor. Summonses to attend may be issued by telephone, text, email or other means as appropriate. There is no minimum notice required to convene the meeting after the summons has been issued.

16. The Parish Clerk as Proper Officer and Responsible Financial Officer is authorised:

16.1 To take action on behalf of the Council in cases of urgency or emergency that cannot wait until the next normal Council meeting. If circumstances permit, the Clerk is expected to call a meeting of the Emergency Committee, consult the Chair, Vice-Chair, or other councillors, and take their views into account.

16.2 To incur expenditure on behalf of the Council that is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000.

16.3 To take any action regarding minor repairs up to a cost of £100 per repair.

16.4 To procure office consumables as necessary, up to a cost of £100 per month.

16.5 To respond to all Planning Applications forwarded by the Planning Authority, taking into account the views of councillors in the relevant Ward.

16.6 To appoint and determine the terms of office of 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.

## 17. Delegations to Committees.

The Parking Committee is authorised to:

17.1 To liaise and negotiate on behalf of the Council with Devon County Council officers and Councillors; Dartmoor National Park Authority officers and Members; and the Member of Parliament for Torridge and West Devon and his office to achieve Council approved objectives.

17.2 To commit the Council to expenditure necessary to achieve Council Approved Objectives subject to a limit of £1,000.

17.3 To be quorate with 3 elected or co-opted councillors. The chair will be appointed by majority vote of the Committee.

17.4 To be bound by the Standing Orders of the Parish Council.

The Fundraising Committee is authorised to:

17.5 To submit applications, liaise and negotiate on behalf of the Council to raise funds for Council approved projects through external organisations, including but not restricted to:

Devon County Council officers and Councillors;

West Devon Borough Council officers and Councillors;

Dartmoor National Park Authority officers and Members;

Other public sector organisations offering grant funding;

National Lottery distributor organisations (in 2019 there are 12 distributors of funds);

Other quasi-autonomous non-government organisations offering grant funding;

Appropriate commercial organisations offering grant funding or sponsorship;

National and local charities.

17.6 To initiate and manage on behalf of the Council public appeals for donations, including but not restricted to:

Online crowdfunding;

Street collections.

17.7 To commit the Council to expenditure necessary to achieve Council approved objectives subject to a limit of £100.

17.8 To be quorate with 3 elected or co-opted councillors. The Chair will be appointed by majority vote of the Committee.

17.9 To be bound by the Standing Orders of the Parish Council.

The Employment Committee is authorised to:

17.10 To convene Committee face-to-face and virtual meetings.

17.11 To be quorate with the Chair plus one Councillor, or in the absence of the Chair all other Councillors in which case a chair for the meeting will be appointed by majority vote of the Committee.

17.12 To select and convene job interview panels.

17.13 To negotiate the detailed terms and conditions of service for prospective Council employees based on the NALC model employment contract and the Green Book.

17.14 To authorise the Chair to sign a contract of employment with a prospective Council employee.

17.15 To convene and conduct performance appraisal and probation interviews with any Council employee.

17.16 To give notice of termination of employment to any Council employee subject to the extant contract of employment and employment law.

17.17 To consult with the Devon Association of Local Councils, solicitors and other organisations and professional advisors as appropriate on employment matters.

17.18 To commit the Council to expenditure necessary to achieve Council approved objectives subject to a limit of £500.

17.19 To maintain strict confidentiality of all employment matters that are not legitimately in the public domain.

17.20 To maintain full records of all employment matters and to report all activities to the Council at the next appropriate meeting and in closed session if matters are confidential.

17.21 To be bound by the Standing Orders of the Parish Council.

18. Delegated actions shall be in accordance with Standing Orders and Financial Regulations and in line with directions given by Parish Council from time to time, and shall be reported to the next available Council meeting.

19. The Parish Council may delegate the power to make additional decisions on individual items to the Emergency Committee, other Committees or the Parish Clerk as and when it is appropriate.