



# Combs Parish Council

## Standing Orders

September 2025

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# COMBS PARISH COUNCIL

## Introduction

Much of the conduct of parish local government affairs is governed by the Local Government Act 1972 ('LGA72') which, together with any other relevant legislation, is the ultimate authority for those matters. These Standing Orders govern the manner in which (subject to the law) Combs Parish Council ('the Council') carries out its business and responsibilities. They deal with matters that the Council is likely to encounter in its day-to-day business and are designed to be read and understood by the registered electors of Combs civil parish as much as by the Councillors.

If any unusual circumstances arise which are not covered by these Standing Orders or relevant legislation, then reference should be made to the NALC Model Standing Orders which are incorporated herein pursuant to paragraph 18 below.

For convenience, standing orders use gender-neutral language (e.g. "Chair").

**Paragraphs in bold type are mandatory requirements.**

## 1. Councillors

- a. Parish Council elections are held every four years, at which all Councillors are elected and will form the Council. Any vacancy on the Council may be filled either by an interim election or by a volunteer being appointed by resolution of the existing Councillors ('co-opted'). A Councillor's primary and overwhelming obligation is to act in what he or she considers are the best interests of the whole parish community.
- b. A Councillor's term of office begins at the first meeting of the Parish Council after his election or appointment (LGA72, s83(4)), when he signs a Declaration of Acceptance and such other forms and declarations as may be required by law. His term of office ends when he resigns or is not re-elected.
- c. Following election or appointment to the Council, each Councillor shall be issued with a copy of the Code of Conduct, Standing Orders, Financial Regulations, current annual budget, and all current adopted Policies. Each Councillor must observe the Code of Conduct at all times when on Council business and no member may act in such a way that may bring the Council into disrepute, behave offensively in meetings, or obstruct the Council's business.

## 2. Annual Parish Meeting (LGA72, Schedule 12, Part 3)

The Annual Parish Meeting is a forum for registered electors to discuss parish matters generally. Meetings will be held between 1<sup>st</sup> March and 1<sup>st</sup> June inclusive each year, save

that in an election year it shall be held after, not before, the election. Although there is no legal requirement for Councillors to attend the Annual Parish Meeting it is the practice in Combs for it to be held immediately before the May Council meeting with all available Councillors present. The Chair (or failing him/her, the Vice-chair) of the Council shall take the chair.

### **3. Parish Council Meetings** (LGA72, Schedule 12, Part 2)

- a. Council meetings are held on the second Monday of each month except August. These meetings are where the ordinary business of the Council is transacted, and Council decisions are made. If, however it is necessary for an urgent parish matter to be considered and resolved in the interim, the Chair may convene an extraordinary meeting of the Council, subject to the normal rules for notice.
- b. In a year when there is no ordinary election of parish Councillors the May Council meeting shall be the Annual Meeting of the Parish Council (this is distinct from the Annual Parish Meeting). In an election year this Annual Meeting of the Council shall be held on or within fourteen days after the day on which the Councillors elected at that election take office (this will usually be the May Council meeting). The first item on the agenda at the Annual Meeting of the Parish Council shall be the election of a Chair and Vice-chair who shall, unless they resign or become disqualified in the interim, hold office until the election of the next Chair/Vice-chair at the next Annual Meeting of the Parish Council.
- c. In addition to its usual business, the Council shall at its Annual Meeting review the Standing Orders and Financial Regulations, all policies and procedures, insurances, subscriptions, associations, and any other standing arrangements (including the risk assessment). In addition, the previous year's expenditure under s137 LGA 1972 or the general power of competence shall be reviewed.
- d. An invitation to attend each Council meeting shall be sent to the ward Councillors of the District and County Councils.
- e. **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

### **4. Emergency Business**

- a. Should it not be possible to convene an extraordinary meeting (for example, where the required notice period is not available) then any emergency business shall be handled by the Clerk, in consultation with the Chair and one other Councillor. Actions shall be reported promptly to the Council.

### **5. Alterations or Reversals of Previous Decisions**

- a. Decisions of the Council shall not normally be reversed within four months, except where a special item is placed on the agenda bearing the name of two Councillors, and is considered and approved by the Council.

## **6. Conduct Of Meetings**

- 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 days 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.
- 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. A member of the public shall not speak for more than three minutes.
- g. In accordance with standing order 6.e, a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given after the meeting.
- h. Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.
- i. Subject to standing order 3.j, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.

- j. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- k. 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.**
- l. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
- m. The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- n. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- o. The chair 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 their casting vote whether or not they gave an original vote.**
- p. Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
- q. A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.**
- r. No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**
- s. 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.**

## 7. The Parish Clerk

- a. The Parish Clerk ('the Clerk') is the Council's 'Proper Officer' – in effect, the executive arm of the Council, responsible for putting the Council's decisions into effect.
- b. The Clerk is also the 'Responsible Financial Officer,' responsible for managing the financial affairs of the Council.
- c. Unless the duties of the Clerk are carried out by a Councillor, the Clerk shall be an employee of the Council and have the benefits of employment prescribed by law. The Clerk shall be issued with an employment contract which will include the main elements of their duties and responsibilities. The Clerk shall, as soon as reasonably practicable, undertake relevant training in their duties, and will be expected to undertake all duties in accordance with that training, notwithstanding that the details may not be listed in their employment contract. Their line manager shall be the Chair of the Parish Council.
- d. By virtue of his training referred to above in paragraph 5.c, the Parish Clerk acts as adviser to the Chair and to the Council as a whole. This advice includes practice and procedure, as well as the application of relevant law.
- e. **At least three clear days before a meeting a meeting of the council or committee, the Parish Clerk will serve on councillors by delivery or post at their residence or by email authenticated in such a manner the Clerk thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email).**
- f. **Provide in a conspicuous place (village noticeboards and website) a public notice of the time, place, and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
- g. **Facilitate inspection of the minute book by local government electors.**
- h. **Receive and retain copies of byelaws made by other local authorities.**

## 8. Accounts and Accounting Statements

- a. The Parish Clerk is also the Responsible Financial Officer and undertakes all the work and controls around their finances.
- b. The term 'proper practices' in these Standing Orders refers to the current version of 'Governance and Accountability for Local Councils – a Practitioners' Guide.' All payments by the Council shall be authorised, approved, and paid in accordance with the law, proper practices, and the Council's Financial Regulations.

- c. The Council's financial year runs from 1<sup>st</sup> April to 31<sup>st</sup> March. At least after each quarter-end the RFO shall make available to the next Council meeting a statement summarising:
  - i. income and expenditure for that period;
  - ii. aggregate income and expenditure for the year to date;
  - iii. the balances held at the end of the quarter being reported;
  - iv. a variance report of projected actuals against budget for the full year.
- d. After the financial year-end, the Responsible Financial Officer shall prepare and submit to the Council the Annual Governance and Accountability Return ('the AGAR'), in accordance with proper practices. The AGAR, including the annual governance statement, shall be presented to the Council so that it may be considered for adoption before 30 June. A copy of the AGAR shall be sent to all Councillors at least 14 days before the meeting at which it will be considered.
- e. The Responsible Financial Officer is responsible for drawing up and maintaining Financial Regulations which comply with best practice, current law, and proper practices (as defined). The Financial Regulations shall be presented to the Council for consideration and approval and kept under regular review. They shall cover procedures appropriate to the Council's size, legal obligations and financial resources for prudent management of the Council's finances, including authorities, systems for compliance with the law and best practice, for budgetary controls, for audit compliance, and for managing financial and other risks and preventing fraud and other malpractices.

## 9. Committees and Working Groups

- a. There are no standing committees. From time to time, however, the Council may set up working group to investigate, advise and recommend concerning a particular matter. Any such working group shall be limited to its terms of reference and by time and shall have no authority to make Council decisions.

## 10. Procurement

- a. In the event it ever becomes relevant, the Council will comply with applicable legislation concerning procurement, currently s.135 of the Local Government Act 1972 and, in the event of contract values in excess of £25,000, the Public Contracts Regulations 2015. The process is set out in section 10 of the Council's Financial Regulations.
- b. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

## 11. Policies

- a. The Parish Council shall review its operations and risks at least once a year and ensure that it has the necessary policies and procedures in place for the correct performance of its operations and the control of its risks.
- b. In particular, the Clerk shall undertake a risk assessment annually of all the activities of the Council and submit a report for approval by the Council. This assessment shall also cover the appropriateness of the internal audit arrangements.
- c. If the Council undertakes a new activity not covered by the existing risk assessment an assessment shall be undertaken before the activity commences.

## **12. Insurance**

- a. Following the annual review of the risk assessment the Council shall review the level of insurance cover and ensure that it is adequate and appropriate for the Council's purposes. Minimum cover shall include Public Liability, Employers Liability, Money, and Fidelity Guarantee.

## **13. Code of Conduct and Dispensations**

- a. All Councillors shall observe the Code of Conduct adopted by the Council, a copy of which shall be supplied to him when he first becomes a Councillor.
- b. Unless he has been granted a dispensation, a Councillor may not speak and may not vote when the Council is considering a matter in which he has a Disclosable Pecuniary Interest (as defined in the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012). He shall leave the meeting during the discussion.
- c. When the Council is considering a matter in which a Councillor has a Local **Non**-Pecuniary Interest, the Chair shall determine whether that Councillor shall withdraw from the meeting for the discussion, or whether he may remain but not speak, or whether he may speak but not vote, or whether he may speak and vote.
- d. Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e. A decision as to whether to grant a dispensation shall be made by the Chair under advice from the Clerk OR by a meeting of the Council for which the dispensation is required. That decision is final.
- f. A dispensation request shall state:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting and the period (not exceeding four years) for



- which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g. A dispensation may be granted if having regard to all relevant circumstances any of the following apply:
  - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;
  - ii. Granting the dispensation is in the interest of persons living in the Council's area;
  - iii. It is otherwise appropriate to grant the dispensation.
- h. **Upon notification by the Principal Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.**

#### **14. Management of Information**

- a. **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b. **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c. **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d. **Councillors, staff, the Council's contractors, and agents shall not disclose confidential information or personal data without legal justification.**

#### **15. Responsibilities to Provide Information**

- a. **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. **The Council shall publish information in accordance with the requirements of the Smaller Authorities (transparency Requirements) (England) Regulations 2015.**

## **16. Responsibilities Under Data Protection Legislation**

- a. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.**
- b. **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- c. **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- d. **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- e. **The Council shall maintain a written record of its processing activities.**

## **17. Legal Deeds**

- a. **A legal deed may only be executed and delivered on behalf of the Council if authorised by a resolution of the Council.**
- b. **As the Council has no corporate seal, any two Councillors may sign any authorised deed.**

## **18. Standing Orders generally**

- a. These Standing Orders shall be reviewed annually by the Clerk and the Chair, and any proposed amendments shall be considered by the Council. If at any time it becomes apparent to the Chair that any relevant matter or procedure is not covered adequately by these Standing Orders, the matter will be resolved in accordance with the current Model Standard Orders issued by the National Association of Local Councils which are hereby incorporated by reference to the extent that they do not conflict with these Standing Orders.
- b. If during a Council meeting a question arises as to the interpretation of these Standing Orders, the Chair, advised by the Clerk, shall decide. Subsequently, the advice of the Suffolk Association of Local Councils should be sought.
- c. The Council may resolve to suspend a Standing Order to progress the business of the Council, and such decision shall be included in the minutes. The suspension shall not be made lightly, and it shall be time-limited.

Agreed and signed by

Chair – Cllr Kitson

Clerk – S Ottewell

Date of Meeting - 8<sup>th</sup> September 2025

Signed copy kept on file by the clerk

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