



Standing Orders

Please Note that as from 23rd March 2020 Marden Parish Council, in accordance with Government Regulations added additional Appendices (Appendix 2 to 5) in line with Coronavirus Legislation.

Agreed by Marden Parish Council on: 12th June 2018; 10th December 2019
Amended: March 2020
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MARDEN PARISH COUNCIL

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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- (c) A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- (d) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.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 (if amended) 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 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 of the meeting.
- (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 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 on 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 Councillor may speak once in the debate on a motion except:
 - (i) to speak on an amendment moved by another 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 Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A 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 or legal 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 Councillor shall relate only to the motion under discussion and shall not exceed *three* 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 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

- (a) **Full Council 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 full Council 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 Committee 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) **Full Council and Committee 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 *fifteen* 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 *three* 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) **Subject to standing order 3(m), 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.**
- (m) **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

- (n) **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.**
- (o) **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).**
- (p) **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- (q) **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.**
- (r) **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 Council at the annual meeting of the Council.

- (s) **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 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.
- (t) 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 Councillors who are present and the names of Councillors who are absent;
 - (iii) interests that have been declared by Councillors and non-Councillors with voting rights;
 - (iv) the grant of dispensations (if any) to Councillors and non-Councillors with voting rights;
 - (v) whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - (vi) if there was a public participation session; and
 - (vii) the resolutions made.
- (u) **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 his right to participate and vote on that matter.**
- (v) **No business may be transacted at a Full Council 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.**

See standing order 4d(viii) below for the quorum of a committee or sub-committee meeting.

- (w) **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.
- (x) A meeting shall not exceed a period of 2½ hours.

4 Committees and Sub-Committees

- (a) **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- (b) **The members of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.**
- (c) **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-Councillors.**
- (d) The Council may appoint standing committees or other committees as may be necessary, and:
 - (i) shall determine their terms of reference (*including any delegated powers*);
 - (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 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) not used;
 - (vi) not used;
 - (vii) shall permit a 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 or sub-committee.

5 Ordinary Council Meetings

- (a) **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- (b) **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council decides.**
- (c) **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- (d) **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- (e) **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if any) of the Council.**

- (f) **The Chairman of the 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 the Council.**
- (g) **The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- (h) **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the 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 the Council has been re-elected as a member of the Council, he shall preside at the Council meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- (j) Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the business of the annual meeting shall include:
- (i) **In an election year, delivery by the Chairman of the Council and Councillors of their acceptance of office forms unless the 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 the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - (ii) Confirmation of the accuracy of the minutes of the last meeting of the 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 legal agreements) with other local authorities, not-for-profit bodies and businesses;
 - (xi) Review of representation on or work with external bodies and arrangements for reporting back;
 - (xii) In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
 - (xiii) Review of inventory of land and assets including buildings and office equipment;
 - (xiv) Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - (xv) Review of the Council's and/or staff subscriptions to other bodies;
 - (xvi) Review of the Council's expenditure under s.137 of the Local Government Act 1972 or the general power of competence;
 - (xvii) Determining the time and place of ordinary meetings of the Full Council up to and including the next annual meeting of Full Council.
- (k) The Council's policies and procedures listed in Appendix A may be reviewed at any full Council / relevant Committee meeting independent of Standing Orders.

- (1) *The agenda for ordinary Council meetings will include the following:*
- (i) *An item entitled “External Reports” where written or verbal reports may be given by the Councillors of the Borough and County Council representing the Council’s electoral ward or division; the police and community support officers; the community warden; and other persons at the Chairman’s discretion;*
 - (ii) *An item entitled “Parish Matters” where issues not otherwise included in the agenda may be raised by members of the public.*

6 Extraordinary Meetings of the Council, Committees and Sub-Committees

- (a) **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- (b) **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.**
- (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 call an extraordinary meeting within 7 days of having been requested by to do so by *two* members of the committee or the sub-committee, any *two* 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 *three* 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.
- (b) 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 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 for which it is tabled for and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the 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 *four* clear days before the meeting. 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, so that it can be understood, in writing to the Proper Officer at least *four* 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, the 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 and numbered in the order that they are received.
- (h) Motions rejected shall be recorded 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 other information which is prejudicial to the public interest;

- (xii) to not hear further from a Councillor or a member of the public;
- (xiii) to exclude a 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 or legal requirements);
- (xvi) to adjourn the meeting; or
- (xvii) to close a meeting.

11 Management of Information

(see also standing order 20)

- (a) **The Council shall have in place and keep under review, technical and organisations measure 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 (eg 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.**

12 Draft Minutes

- (a) If the draft minutes of a preceding meeting have been served on 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:
 - “The Chairman of this meeting does not believe that the minutes of the meeting of the () held on () in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

- (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.**
- (f) Subject to the publication of draft minutes in accordance with standing order 12e and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13 Code of Conduct and Dispensations

[See also standing order 3(u) above]

- (a) All Councillors and non-Councillors with voting rights shall observe the code of conduct adopted by the Council.
- (b) Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- (c) Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- (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 is given, by delegated powers, to the Proper Officer, or in her absence the Assistant Clerk acting as Proper Officer, or shall be made by a meeting of the Council, Committee or Sub-Committee for which the dispensation is required and that decision is final.
- (f) A dispensation request shall confirm:
 - (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 or the period (not exceeding four years) for which the dispensation is sought; and
 - (iv) an explanation as to why the dispensation is sought.

Subject to standing orders 13(d) and (f) above, dispensations requests shall be considered by delegated powers, to the Proper Officer, or in her absence the Assistant Clerk acting as Proper Officer, or at the beginning of the meeting of the Council, or committee or a sub-committee for which the dispensation is required.

- (g) **A dispensation may be granted in accordance with standing order 13(e) above 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 or**

- (ii) **granting the dispensation is in the interests of persons living in the Council's area;**
- or**
- (iii) **it is otherwise appropriate to grant a dispensation.**

14 Code of Conduct Complaints

- (a) Upon notification by the *Borough Council* that it is dealing with a complaint that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the Council.
- (b) Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d) below.
- (c) The Council may:
 - (i) provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is a legal requirement;
 - (ii) seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- (d) **Upon notification by the *Borough 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 him. Such action excludes disqualification or suspension from office.**

15 Proper Officer

- (a) The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- (b) The Proper Officer shall:
 - (i) **at least three clear days before a meeting of the Council, a committee or a sub-committee:**
 - **serve on Councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the Councillor has consented to service by email) and provided any such email contains the electronic signature and title of the Proper Officer.**
 - **Provide, in a conspicuous place, 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).**

See standing order 3(b) above for the meaning of clear days for a meeting of a Full Council and standing order 3 (c) above for a meeting of a committee.

 - (ii) subject to standing order 9 above, include on the agenda all motions in the order received unless a Councillor has given written notice at least *four* days before the meeting confirming his withdrawal of it;
 - (iii) **convene a meeting of Full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - (iv) **facilitate inspection of the minute book by local government electors;**

- (v) **receive and retain copies of byelaws made by other local authorities;**
- (vi) hold acceptance of office forms from Councillors;
- (vii) hold a copy of every Councillor's register of interests;
- (viii) assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's policies and procedures;
- (ix) liaise, as appropriate, with the Council's Data Protection Officer;
- (x) receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- (xi) manage the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (eg the Limitation Act 1980);
- (xii) arrange for legal deeds to be executed;
See also standing order 23 below.
- (xiii) arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
- (xiv) record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- (xv) *refer a planning application received by the Council to the planning committee for consideration at their next meeting (or, in an urgent response is required, to the next full Council meeting if sooner).*
- (xvi) manage access to information about the Council via the publication scheme; and
- (xvii) retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
See also standing order 23 below.

16 Responsible Financial Officer

- (a) The 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 Councils – a Practitioners' Guide
- (b) 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 Responsible Financial Officer shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - (i) the Council's receipts and payments for each quarter;
 - (ii) the 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 Councillor with a statement summarising the Council's receipts and payments for the last quarter and the year to date for information; and
 - (ii) to the full 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 the Council (*ie income and expenditure*) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to each Councillor before the end of the following month of May. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

18 Financial Controls and Procurement

- (a) The 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 the Council;
 - (iii) The work of the independent 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 Councillors and local electors of the Council's accounts and/or orders of payments; and
 - (v) Whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- (b) Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- (c) **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) below is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- (d) Subject to the additional requirements in the Financial Regulations of the 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 Council's specification; (ii) the time, date and address for the submission of tenders; (iii) the date of the Council's written response to the tender; and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
 - (iii) The invitation to tender shall be advertise 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 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 Council or a committee or sub-committee with delegated responsibility.
- (e) Neither the Council, nor committee or sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
 - (f) **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
 - (g) **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19 Handling Staff Matters

- (a) A matter personal to a member of staff that is being considered by a meeting of Council or the *Finance* Committee or the *Human Resources* Sub-Committee is subject to standing order 11 above.
- (b) *Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman of the Council or, in his absence, the Vice-Chairman of the Council of any absence occasioned by illness or urgency and that person shall report such absence to the Human Resources Sub-Committee at its next meeting.*
- (c) *The person appointed by the Human Resources Sub-Committee shall upon a resolution conduct a review of the performance and annual appraisal of the work of each employee of the Council. The reviews and appraisals shall be reported in writing and are subject to approval by resolution by Human Resources Sub-Committee.*
- (d) *Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman of the Council or in his absence, the vice-Chairman of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Human Resources Sub-Committee.*
- (e) *Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by an employee relates to the Chairman or Vice-Chairman of the Council, this shall be communicated to another member of the Council which shall be reported back and progressed by resolution of the Human Resources 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) In accordance with standing order 11(a) above persons with line management responsibilities shall have access to staff records referred to in standing order 19(f) above.
- (h) *Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to the Proper Officer, the Chairman of the Council and any other Councillors or employees authorised by the Council.*

20 Responsibilities to Provide Information

See also standing order 21

- (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) **If gross annual income or expenditure (whichever is the higher) exceeds £200,000 the Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

21 Responsibilities under Data Protection Legislation

(Below is not an exclusive list) - See also Standing Order 11

- (a) **The Council shall appoint a Data Protection Officer.**
- (b) **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- (c) **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- (d) **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.**
- (e) **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.**
- (f) **The Council shall maintain a written record of its processing activities.**

22 Relations with the Press/Media

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

23 Execution and Sealing of Legal Seeds

See also Standing Orders 15(b)(xii) and (xvii) above.

- (a) A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- (b) **Subject to standing order 23(a) above, any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

24 Communicating with *Borough* and *County* Councillors

- (a) An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillors of the *Borough Council and County Council* representing the area of the Council.
- (b) Unless the Council determines otherwise, a copy of each letter sent to the *Borough or County Council* shall be sent to the Councillors of the *Borough Council and County Council* representing the area of the Council.
- (c) *Borough or County Councillors representing the Council's electoral ward or division are invited to give verbal or written reports to ordinary Council meetings in accordance with Standing Order 5(l)*

25 Restrictions on Councillor Activities

- (a) Unless duly authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
 - (i) inspect any land and/or premises which the Council has a right or duty to inspect; or
 - (ii) issue orders, instructions or directions.

26 Standing orders generally

- (a) All or part of a standing order, except one that incorporates mandatory statutory or legal 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 Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least *three* 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 Council's standing orders to a 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.

APPENDIX 1

LIST OF MARDEN PARISH COUNCIL POLICIES AND PROCEDURES

Amenities Policies

To be reviewed annually at the April Amenities Committee unless amended required during the year

- Memorial Safety
- Hiring Policy for Southons Field and Marden Playing Field
- Southons Field Beacon

Council Policies

To be reviewed annually at the June Full Council Meeting unless amended required during the year

- CCTV Policy
- Community Engagement Policy
- Complaints Handling Policy
- Co-Option Procedure
- Equality & Diversity Policy (includes DDA)
- Filming & Recording of Meetings Policy
- Freedom of Information Policy
- Freedom of information Request Form
- Freedom of Information Scheme of Details
- Granting of Dispensation Policy
- Learning & Development Policy
- Newsletter Policy
- Press & Media Policy
- Public Participation Policy
- Scheme of Delegations
- Standing Orders
- Sustainability Policy (Draft not adopted)
- Terms of Reference
- Vehicle Policy

Finance Policies

To be reviewed annually at the April Finance Committee unless amended required during the year

- Electronic Payments Policy
- Financial Risk Assessment
- Financial Regulations
- Financial Regulations Responsibilities
- Funding Request Form
- Grant Awarding Policy

GDPR Policies

To be reviewed annually at the June Full Council Meeting unless amended required during the year

- Breach Notification Policy
- Document Retentiona and Disposal Policy
- Privacy Notice – General

Privacy Notice – Employees
Privacy Notice – Play Scheme
Subject Access Request Policy

HR Policies

To be reviewed annually at the April HR Sub-Committee unless amended required during the year
Advice Note for Hearings on Disciplinary and Grievance
Dignity at Work Policy
Disciplinary Procedure
Employing Staff and Interviewing Procedure
Grievance Procedures
Hours of Working Policy
Human Resources Policy
Pay Policy
Performance Management and Staff Development Policy
Personal Safety and Lone Worker Policy
Staff Attendance Policy
Travel and Subsistence Policy

Planning Policies

To be reviewed annually at the April Planning Committee meeting (*unless amendments required during the year*)
Planning Policy No. 1 – Guidance for Committee Members and the Public
Planning Policy No 2 – Enforcement Procedure
Planning Policy No 3 – Developer Contributions
Planning Policy No 4 – Gypsy Caravan Sites
Planning Policy No 5 – Marden Village Design Statement
Planning Policy No 6 – Developer Meetings

APPENDIX 2

Added 24th March 2020

MINUTES OF THE EXTRA ORDINARY FULL COUNCIL MEETING HELD ON TUESDAY 24th MARCH 2020 IN THE MEMORIAL HALL CAR PARK, GOUDHURST ROAD, MARDEN COMMENCING AT 12.30PM

A motion was carried, due to the current Coronavirus situation, that the meeting would be moved from 7.30pm to 12.30pm. Cllrs had agreed via email.

147/20 PRESENT

Cllrs Adam, Boswell, Newton and Tippen were present. The Clerk was also in attendance also in attendance.

148/20 APOLOGIES FOR ABSENCE

Cllrs Barker, Brown, Jones, Mannington, Robertson, Stevens and Turner had given their apologies.

In the absence of the Chairman Cllr Tippen took the chair.

149/20 COUNCILLOR INFORMATION

Register of Interest

There were no amendments to the registers of interest

Declarations of Interest

No declarations of interest

Granting of Dispensation

There were no granting of dispensation requested

150/20 MINUTES OF THE PREVIOUS MEETING

Minutes of the previous Parish Council meeting agreed to be deferred until the next meeting when Cllrs would be able to meet.

151/20 COVID-19

Proposed Motion

Cllr Adam and the Clerk had circulated a motion for this item together with the relevant documents.

Arrangements for discharge of functions (*Section 101 – Local Government Act 1972*): Cllr Adam read out the list of motions to discharge functions: **Cllrs Agreed**

Set up an Emergency Committee (*MPC Standing Orders 4(d)*): **Cllrs Agreed**

Adoption of temporary variations to Standing Orders (*MPC Standing Orders 10(a)(xv) and 26(b)*): **Cllrs Agreed**

Adoption of temporary amendments to Financial Regulations (*MPC Standing Orders 18(a) and MPC Financial Regulations 18(2)*): **Cllrs Agreed**

Adoption of variation/amendment to Scheme of Delegation (*MPC Standing Orders 4(d)(i)*): **Cllrs Agreed**

Adoption of High Consequence Infectious Disease (HCID) Policy: **Cllrs Agreed**

Adoption of HCID Risk Assessment: **Cllrs Agreed**

Adoption of Marden Parish Council's CoVid-19 Business Continuity Plan and General Business Continuity Plan: **Cllrs Agreed**

Parish Clerk's Succession Plan: **Cllrs noted.** The Deputy Clerk would update with information regarding communication.

Defer Annual Parish Meeting originally agreed for 7th April

Cllrs Agreed and await further guidance/legislation from Central Government)

Defer Annual Parish Council Meeting originally agreed for 12th May

Cllrs Agreed and await further guidance/legislation from Central Government)

Postponement of other Parish Council Meetings

Not required. It was agreed that all meetings would be held but would be discussed via email (or other virtual conferencing means if agreed at a future date). Meetings would still be advertised via agendas through the website and Cllrs would be asked to be available from 7.30pm on a Tuesday evening. Any decisions/comments would need to be made before 9pm and the Clerk would draft minutes from this discussion.

Co-ordination of vulnerable people/volunteers

Deputy Clerk is organising this and would be asked to provide details to the Clerk, Cllr Tippen and Cllr Boswell only due to the confidential nature of the situation.

Cancellation of VE Day Celebrations

Cllrs Agreed

Cancellation of Meet the Clerks

Cllrs Agreed

Marden Summer Play Scheme

It was **agreed** that registration could be made from 15th June. However, due to the current situation no money would be accepted at that time. The situation would be reviewed week commencing 13th July. Based on Government advice a decision would then be made as to whether to go ahead with the scheme or not.

152/20 FINANCE

Payments for Approval

Electronic Payments

Rams Hill – Mower servicing/repairs £301.20
 Kent County Supplies – Photocopier rental £297.54
 RJP Window Cleaning – Part payment for toilet cleaning £317.50
 Digital Nomads – Email/Domain subscription £143.98
 SLCC – Deputy Clerk webinar training £72.00
 Pitney Bowes – Franking Machine Rental £15.54
 Castle Water – Public Conv. water £337.77
 Postage by Phone – Postage £100.00
 Came & Company – Mower/Vehicle insurance £735.03
 Graham Carey – Grounds maintenance £420.00
 Total: £2,320.56

All invoices were **agreed** and Cllrs agreed to authorise payments.

Cheque Payment

Autobase – Vehicle service - £185.46. **Agreed** and cheque duly signed.

Other

It was proposed, and agreed, that if a cheque was required for payment a Cllr, or the Clerk, if willing to do so would cover the payment, provide an invoice and reclaim. Confirmation of agreement should be received via email before this is undertaken.

Internal Audit update

The internal auditor would be undertaking the end of year report remotely and would contact the Clerk if additional information was required.

External Audit update

It was still not known whether the return date for the Audit Return would be moved to September. In the meantime, all work necessary would be undertaken until notification had been received from Government.

There being no further business the meeting closed at 1.07pm

Date:

Signed:

Cllr Lesley Mannington
Marden Parish Council Chairman
Marden Parish Council
Parish Office
Goudhurst Road
Marden
01622 832305
07376 287981
clerk@mardenkent-pc.gov.uk
www.mardenkent-pc.gov.uk

APPENDIX 3

Motion Carried at EFCM 24th March 2020

MARDEN PARISH COUNCIL

Motions to be put before the Extra Ordinary Full Council Meeting 24th March 2020

Essential Changes to Manage High Consequence Infectious Diseases and Other Emergencies

The following motions are proposed to help Marden Parish Council manage High Consequence Infectious Diseases and other emergencies in the event that it is impracticable for the council to conduct its business through face-to-face meetings.

Standing Orders

- 1 That Standing Order 9.b be suspended under Standing Order 10.a.xv for the duration of an emergency to remove the requirement for four clear days written notice of the wording of a motion.
- 2 That the Standing Orders be temporarily added to under Standing Order 26.b as follows:
 - (i) A temporary Emergency Committee comprising all councillors shall be established.
 - (ii) The Emergency Committee shall have full delegated powers to temporarily exercise all functions of the Council (including its committees and sub-committees) to the extent permitted by law.
 - (iii) For the avoidance of doubt, the Emergency Committee has the power to temporarily:
 - (a) add to, vary, suspend or revoke Standing Orders under Standing Orders 10.a.xv and 26.b;
 - (b) approve any revisions to or suspension of any part of the Financial Regulations as drawn up by the Responsible Financial Officer for consideration under Standing Order 18.a;
 - (c) amend the Council's policies and procedures (including the Scheme of Delegation) as may be required for the duration of the emergency; and respond to planning applications and any consultations in the name of the Council or its other committees, as applicable.
- 3 That for the purpose of Standing Order 3.d, the nature of the emergency and its consequential effects be considered special reasons under the Public Bodies (Admission to Meetings) Act 1960 to waive the requirement for meetings of the Emergency Committee to be open to the public.
- 4 That the Standing Orders be temporarily varied under Standing Order under Standing Order 26.b so that the Emergency Committee may operate 'virtually', with meetings called and decisions taken by e-mail correspondence (or other means agreed by the Emergency Committee), without direct public participation but taking account of any representations made to the Council by the public, subject to the meetings being minuted by the council's Proper Officer in the normal way.
- 5 That the Emergency Committee should be dissolved after three months unless the Council resolves in accordance with the unamended Standing Orders that a shorter or longer period shall be adopted.

Financial Regulations

- 6 That Financial Regulation 18 be temporarily revised for the duration of an emergency so that the Emergency Committee may take the place of the Council, its Finance Committee and Human Resources Sub-committee as required for each purpose to the extent permitted by law.

Scheme of Delegation

7 That the Scheme of Delegation be temporarily amended for the duration of an emergency so that the Emergency Committee may further delegate any functions of the Council (including its committees and sub-committees) to the Chairman, an agreed number of Councillors, the Proper Officer, the Responsible Financial Officer or any combination thereof, as appropriate, to the extent permitted by law.

Councillor 1: Signed _____ / Name ANNE BOSWELL / Date 24/03/2020

Councillor 2: Signed _____ / Name RICHARD ADAM / Date 24/03/2020

Councillor 3: Signed _____ / Name KATE TIPPEN / Date 24/03/2020

The hard copy, duly signed, is filed with the EFCM Minutes of 24th March 2020

APPENDIX 4

Virtual Meetings Policy

Adopted 14th April 2020

Meetings During CoVid-19 Policy and Guidelines

VIRTUAL MEETINGS

Following The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 coming into force on 4th April 2020 Parish Councils have been given the authority to hold Council meetings virtually (Regulation 5).

Marden Parish Council has therefore agreed that for the foreseeable future they will hold remote Council meetings, under the title of Emergency Committee (see motion carried at the Extra Ordinary Full Council Meeting held on 24th March 2020), by using the Zoom app. Zoom subscription has been paid for until June 2021.

Meetings

All meetings will be a Full Council meeting and will cover all Committee issues other than Finance (ie Planning and Amenities).

Meetings will be held as normal on a Tuesday evening at 7.30pm by Zoom.

Agendas will be published on the Marden Parish Council website www.mardenkent-pc.gov.uk and emailed to Parish Councillors, Borough Councillors, County Councillor, MP and other interested bodies. It will also be uploaded to Facebook. A list of proposed meeting dates has been placed on parish notice boards.

All Parish Councillors will be provided with the link to the meeting by the Clerk or, in her absence, by the Deputy Clerk before 7pm on the day of the meeting. Any apologies, and reasons, should still be sent to the Clerk prior to the meeting commences.

Any member of the public who wishes to take part in the meeting is required to contact the Clerk before 7pm on the day of the meeting and will be sent a link to connect them into the meeting at 7.30pm.

Protocol During the Meeting

Marden Parish Council

When logging on Cllrs should check that their microphone and speaker are working.

Cllrs taking part in the meeting will make themselves known to the Clerk and Chairman at the start. Both microphone and video should be on when admitted to the meeting from the Waiting Room.

Cllrs ID should be visible at all times.

Cllrs should only use the microphone and not the video when asked by the Clerk.

The Chairman will chair the meeting as normal and any Cllr (or Clerk) wishing to speak will use the hand icon. The Chairman will then say the Cllr's name before they should speak. Once the Cllr has finished speaking they should indicate that they have nothing else to add. **No other Cllr must speak whilst another is addressing the meeting.**

Once all Cllrs have had the chance to speak on an item the Chairman will summarise for a further show of hands (hands icon) to confirm in agreement.

The Clerk will take notes of how the voting went along with minuting the meeting.
The Clerk can record the meeting at any time should Cllrs so wish.

Members of the Public

When the member of the public contacts the Clerk prior to the meeting they should indicate on which item on the agenda they wish to speak, if any.

Once the Member of the Public has been accepted into the meeting they must be muted until such time they are permitted to speak – at this time the Chairman will indicate that they have 3 minutes to address the meeting. Following this time, they should be muted for the remainder of the meeting (unless further questions are needing to be answered).

If unable to use a microphone the chat option is made available at the Clerk will read out the comment/question to Cllrs.

End of Meeting

The Chairman will declare the meeting closed and state the time.

The Clerk will then end the meeting

The draft minutes will be uploaded to the MPC website by the Monday of the following week. At the next meeting the minutes will be agreed. A watermark will be added “Agreed on But not signed”. A statement to be added to the top of the agreed minutes “Agreed at Council meeting on to be signed when Council able to meet in person”.

The agreed minutes will be uploaded to the MPC website following the relevant meeting at which they were agreed.

FACE TO FACE MEETINGS

Marden Parish Council can hold face-to-face meetings but need to meet National Association of Local Councils (NALC) criteria before commencing (see Appendix 5)

Marden Memorial Hall Main Hall is not equipped with wi-fi so virtual / hybrid meetings of the Council could not be held whilst social distancing is required.

APPENDIX 5

The tick list is available from the Parish Clerk

CHECKLIST FOR HOLDING AN IN-PERSON COUNCIL MEETING

Following the government announcement of further easing of lockdown restrictions from 4 July, both NALC and SLCC strongly advise local councils to continue to meet remotely, without the need for face-to-face contact.

If the council wishes to consider returning to face-to-face meetings then there are a range of issues that will need to be addressed before this can take place. This checklist will help the council ensure this decision is made in accordance with relevant regulations and requirements.

Further guidance related to COVID-19 can be found on the NALC and SLCC websites.

- 1 **There is no way for the council to conduct business except through a face-to-face meeting.**
 The council staff and councillors are unable to conduct business without a face-to-face meeting.
Note: The government rules still state that we should all work from home if we can. The council is unable to make use of telephone or online technology to conduct quorate council meetings.
Note: Local councils have the powers to hold public meetings remotely by using video or telephone conferencing technology until May 2021. Parish meetings do not have such powers to meet remotely. The council has a reasonable business need, or legal need to meet in person at this time.
Note: The Health Protection (Coronavirus Restrictions) (No.2) (England) Regulations 2020 state that a public authority can only hold a gathering of over 30 people if certain conditions are met
- 2 **Action has been taken to seek a number of options for an appropriate venue for the council meeting.**
 These venues comply with normal council meeting requirements.
Note: NALC members can access Legal Topic Note 5 – Parish and community council meetings.
 The venues allow the public to observe council meetings with social distancing without placing restrictions on the number attending.
 The venues conform with the government guidance for multi-purpose community facilities and for council buildings.
 If the venue is not owned/managed by the council the owners have been asked for their risk assessment and what actions they are taking to reduce risk.
- 3 **There is a potential venue the council can use in compliance with the above requirements.**
- 4 **The council understands and is acting in compliance with ‘safer workplaces’ guidance.**
- 5 **The council has checked if there are councillors or staff that will be unable to attend face-to-face meetings due to health, disability or other reasons.**
 The council has considered how it will make reasonable adjustments to allow individuals with disabilities or other needs to take part in the meeting.
 The council has considered a hybrid approach to meetings.

6 A risk assessment has been conducted.

Consideration has been taken towards what the council can do to reduce risk to councillors, staff and public including:

- (i) Providing hand sanitiser to those entering the meeting room and making sure hand sanitiser is readily available in the room itself.
- (ii) Staggering arrival times for staff, councillors and members of the public.
- (iii) Ensuring seating is placed at least 2-metre apart.
- (iv) Asking people to wear face masks.
- (v) Holding paperless meetings.
If papers are provided, people should be discouraged from sharing with others and asked to take the papers with them at the end of the meeting to minimise how many people handle the papers.
- (vi) Arranging seating so people are not facing each other directly.
- (vii) Choosing a venue with good air flow, including opening windows and doors where possible

Note: The Health Protection (Coronavirus Restrictions) (No.2) (England) Regulations 2020 require that the person responsible for organising the gathering has carried out a risk assessment and the organiser has taken all reasonable measures to limit the risk of transmission taking into account the risk assessment.

7 The council has decided, based on the risk assessment and with risk management actions that it is safe and appropriate to meet.

8 All risk mitigating actions identified by the risk assessment have taken place.

This checklist has been conducted to the council's satisfaction and it has been agreed that the council will hold a face-to-face (or hybrid) meeting.

The council will re-evaluate this decision following the first council meeting held, and where necessary the risk assessment and risk management activities will be updated. Following this, the council will review this checklist [quarterly/after each council meeting/at times to be agreed by the council/delete as appropriate].

This document was produced by NALC and SLCC and all due care has been taken that it is accurate and reflects current government guidance and legislation at the time of writing (July 2020). This document is designed as an aid to council decision-making, it does not constitute legal advice and neither organisation is responsible for the actions of councils who use this document.

The council is responsible for the health and safety of staff, councillors and others attending council meetings. The council must take care to check it is working to the most up-to-date government guidance and legislation.

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Office Opening Times:

Mondays, Tuesdays & Fridays 10am - 12 noon

www.mardenkent-pc.gov.uk

Email: clerk@mardenkent-pc.gov.uk

Marden Parish Council Standing Orders