

Ponthir Community Council Standing Orders May 2025.

Conduct at Meetings

No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.

If person(s) disregards the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move the person to be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

Notices of Meetings

- The notice (including how the meeting may be accessed virtually), must be published electronically and in a conspicuous place in the community at least three clear days before the meeting, or if the meeting is convened at shorter notice, at the time it is convened.
- The notice must provide details about how to access the meeting remotely, and the time and place of the meeting. The place may be omitted if the meeting is held by remote means only. This needs to be notified to the Clerk three working days, prior to the meeting.
- These notice requirements also apply where a formal meeting is taking place which is not open to the public.
- The minimum three clear days for notice of a meeting does not include the day on which the 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.
- 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.
- 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 and the press's exclusion from part or all of a

meeting shall be by a resolution which shall give reasons for the public and the press to be excluded. nature of the business to be transacted or for other special reasons. The public and the press's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public and the press to be excluded.

- **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's consent.**
- **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.**
- **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 or the Reserve Member.**
- **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, the Reserve Member shall preside at the meeting.**
- **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.**
- **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.**
- **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.**
- **A councillor or a non-councillor with voting rights who has a personal or prejudicial interest in a matter being considered at a meeting which limits or restricts their right to participate in a discussion or vote on that matter is subject to obligations in the**

code of conduct adopted by the Council.

- **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.**
- **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.**

A meeting shall not exceed a period of 2 hours.

COMMITTEES AND SUB-COMMITTEES

Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.

The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.

Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

ORDINARY COUNCIL MEETINGS

In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.

In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.

If no other time is fixed, the annual meeting of the Council shall take place at 7pm.

In addition to the annual meeting of the Council, any number of other ordinary meetings may be held in each year on such dates and times as the Council decides.

The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair of the Council.

The Chair of the Council, unless they have resigned or become disqualified, shall continue in office, and preside at the annual meeting until their successor is elected at the next annual meeting of the

Council.

The Vice-Chair of the Council, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.

In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.

In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.

Following the election of the Chair of the Council and Vice-Chair of the Council at the annual meeting, the business shall include:

In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done later. In a year which is not an election year, delivery by the Chair of the Council of their acceptance of office form unless the Council resolves for this to be done later.

EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

The Chair of the Council may convene an extraordinary meeting of the Council at any time.

If the Chair 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 shall be signed by the two councillors.

MANAGEMENT OF INFORMATION

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. Such data will include recordings of meetings held by the Council.

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, recorded 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).

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.

Councillors, staff, the Council's contractors, and agents shall not disclose confidential information or personal data without legal justification.

Publication of Draft Minutes.

These must be published no later than seven working days of a council meeting. The Council must publish electronically a note setting out the following:

- The names of the members who attended the meeting, and any apologies for absence.
- Any declarations of interest.
- Any decisions taken at the meeting, including the outcomes of any votes.

The requirements regarding the note to be published after a council meeting do not apply for private business or where disclosure would be detrimental to acting on those decisions.

CODE OF CONDUCT AND DISPENSATIONS

Councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

Dispensation requests shall be in writing and submitted to the

standards committee of the County Borough Council.

PROPER OFFICER

The Proper Officer shall be the Clerk to Ponthir Community Council.

The Proper Officer shall at least three clear days before a meeting of the council, a committee, or a sub-committee.

Convene a meeting of Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office.

Facilitate inspection of the minute book by local government electors.

Receive and retain copies of byelaws made by other local authorities.

Hold acceptance of office forms from councillors.

ACCOUNTS AND ACCOUNTING STATEMENTS

“Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils in Wales – 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.

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:

The Council’s receipts and payments (or income and expenditure) for each quarter.

The Council’s aggregate receipts and payments (or income and expenditure) for the year to date.

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.

As soon as possible after the financial year end on 31 March, the Responsible Financial Officer shall provide:

A public contract regulated by the Public Contracts Regulations 2015 with an estimated value more than £25,000 but less than the relevant thresholds referred to in standing order 17(f) is subject to the “light touch” arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).

Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. OVW can supply Council’s with further information in this regard. 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.

RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

The Council Data Protection Officer is the Clerk.

The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.

The Council shall have a written policy in place for responding to and managing a personal data breach.

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.

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.

The Council shall maintain a written record of its processing activities.

RELATIONS WITH THE PRESS/MEDIA

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.

EXECUTION AND SEALING OF LEGAL DEEDS

A legal deed shall not be executed on behalf of the Council unless authorised

by a resolution.

The Council's common seal shall alone be used for sealing a deed required by law.

It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses. Any two councillors may sign on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

Signed on behalf of Ponthir Community Council

Ian Danaher Chair.