



# **KILLAY COMMUNITY COUNCIL**

**(CYNGOR CYMUNED CILÂ)**

## **STANDING ORDERS**

### **1. MEETINGS**

- a) Meetings of the Council shall be held at 7.15pm on the fourth Wednesday of each month, except for the month of December, at Siloam church hall, Goetre Fach Road, Killay, Swansea, unless the Council otherwise decides at a previous meeting.

*In compliance with the Local Government & Elections (Wales) Act 2021*

(a.i) All Community Council meetings need to be arranged to allow (but not require) participants (including Councillors and members of the public) to be in multiple locations.

The Clerk will provide a written summons to all Councillors of every meeting providing a minimum of three clear working days between the dates of the summons and the meeting

- b) Smoking is not permitted at any meeting of the Council.

### **2. THE STATUTORY ANNUAL GENERAL MEETING SHALL BE HELD:-**

- a) On the fourth Wednesday in May, or on such a day as the Council may direct.  
b) Proposals for consideration at the Annual General Meeting must be made in writing to the Clerk of the Council no less than fourteen working days before the date of the Annual General Meeting and must be signed by both the proposer and seconder.

### **3. CHAIRMAN OF THE MEETING**

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

### **4. PROPER OFFICER**

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

- (a) To receive declarations of acceptance of office.  
(b) To receive and record notices declaring interests at meetings.  
(c) To receive and retain plans and documents.  
(d) To sign notices or other documents on behalf of the Council.  
(e) To receive copies of bylaws made by another local authority.  
(f) To sign and issue the summons to attend meetings of the Council.  
(g) To keep proper records of all Council meetings.

## **5. QUORUM OF THE COUNCIL**

- (a) Five members or one third of the total membership, whichever is the greatest, shall constitute a quorum at meetings of the Council.
- (b) If a quorum is not present when the Council meets, or if during the meeting the number of councillors present and not debarred by reason of a declared interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such another day as the Council may fix.
- (c) Except where ordered by the Council in the case of a committee or by the Council or appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be the lesser of one third of its members or two members.

## **6. VOTING**

- (a) Members shall vote by a show of hands, or if at least two members so request, by signed ballot.
- (b) If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.
- (c) Subject to (d) or (e) below, the Chairman may give an original vote on any matter put to the vote, and in the event of an equality of votes may give a casting vote whether or not he/she gave an original vote.
- (d) If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice Chairman until the end of their term of office he/she may not give an original vote in an election for Chairman.
- (e) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.
- (f) A Councillor can only participate in discussing and voting on a co-option if they have been present from the commencement of the Co-option agenda item.

## **7. ORDER OF BUSINESS**

In an election year councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of a Proper Officer previously authorised by the Council to take such declaration, before the Annual Meeting commences.

At each Annual Meeting the first business shall be:-

- (a) To elect a Chairman of the Council.
- (b) To receive the Chairman's declaration of acceptance of office, if not then received to decide when it shall be received.
- (c) In the ordinary year of election of the Council to fill any vacancies unfilled at the election by reason of insufficient nominations.
- (d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
- (e) To elect a Vice-Chairman of the Council.
- (f) To appoint representatives to outside bodies.
- (g) To appoint committees.

And thereafter to follow the order set out in Standing Order 10

8. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice Chairman be absent, and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received, to decide when they should be received.
9. In every year, not later than the meeting at which the budget for the next year is settled, the Council shall review the pay and conditions of service of existing employees. Standing order 28 must be read in conjunction with this requirement.
10. After the first business has been completed, the order of business, unless the Council decides otherwise on the grounds of urgency, shall be:-
  - a) To read and consider the Minutes of the previous meeting; provided that a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
  - b) After consideration to approve the signature of the Minutes by the person presiding as a true record.
  - c) To deal with business expressly required by statute to be done.
  - d) To dispose of business, if any, remaining from the last meeting.
  - e) To receive communications.
  - f) To answer questions from Councillors.
  - g) To receive and consider reports and minutes and consider resolutions or recommendations of committees.
  - h) To receive and consider reports from officers of the Council.
  - i) If necessary to authorise the sealing of documents.
  - j) To authorise the signing of orders for payment.
  - k) Any other business specified in the summons.

### **URGENT BUSINESS**

11. A motion to vary the order of business on the grounds of urgency:-
  - a) May be moved by the Chairman or by any member duly seconded and, if proposed by the Chairman, may be put to the vote without being seconded, and
  - b) shall be put to the vote without discussion.

### **RESOLUTIONS MOVED ON NOTICE**

12. Except as provided by these Standing Orders no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least fourteen clear days before the meeting of the Council.
13. The Clerk shall insert in the Summons for every meeting all notices of motion or recommendation properly given.
14. If a resolution or recommendation specified in the summons is not moved either by the member who proposed it or by any other member, it shall, unless

postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

15. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee as the Council may determine for a report; provided that the Chairman, if he/she considers it to be a matter of urgency may allow it to be dealt with at the meeting at which it was moved.
16. Every resolution or recommendation shall be relevant to some subject over which the Council has some power or duties which affects its area.

### **RESOLUTIONS MOVED WITHOUT NOTICE**

17. Resolutions dealing with the following matters may be moved without notice:-

- a) To appoint a Chairman for the meeting
- b) To correct the Minutes
- c) To approve the Minutes
- d) To alter the order of business
- e) To proceed to the next business
- f) To close or adjourn the debate
- g) To refer a matter to a committee
- h) To appoint a committee or members thereof
- i) To adopt a report
- j) To authorise the sealing of a document
- k) To amend a motion
- l) To give leave to withdraw a resolution or amendment
- m) To extend the time limit for speeches
- n) To exclude the press or public (see Standing Order 53 below)
- o) To silence or eject from the meeting a member named for misconduct (See Standing Order 23 below)
- p) To invite a member having an interest in the subject matter under discussion to remain (see Standing Order 44 below)
- q) To give consent to the Council where such consent is required by these Standing Orders
- r) To suspend any Standing Order (see Standing Order 63 below)
- s) To adjourn the meeting

### **QUESTIONS**

18. A member may ask the Chairman or the Clerk any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins.
19. No questions not connected with the business under discussion shall be asked except during this part of the meeting set aside for questions.

### **RULES OF DEBATE**

**20.** No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

- a)** A Councillor can only participate in discussing, and if applicable voting on, an agenda item if they are present at the commencement of that agenda item.
- b)** A resolution or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has already been given. If required by the Chairman, the resolution or amendment has to be produced in writing and handed to him/her before it is further discussed or put to the meeting.
- c)** A member shall direct his speech to the question under discussion or to a personal explanation to a question or order.
- d)** An amendment shall be either:-
  - (i) To leave out words
  - (ii) To leave out words and insert or add others
  - (iii) To insert or add words
- e)** An amendment shall not have the effect of negating the resolution before the Council
- f)** If an amendment be carried, the resolution as amended shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- g)** A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- h)** The mover of a resolution or amendment shall have the right of reply.
- i)** A member, other than the mover of a resolution, shall not without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on any point of order, or in personal explanation, or to move a closure.
- j)** A member may rise to make a point of order or a personal explanation. A member rising for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him/her which may have been misunderstood.
- k)** A motion or amendment may be withdrawn by the proposer with the consent of the Council which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- l)** When a resolution is under debate no other resolution shall be moved except the following:-
  - (i) To amend the resolution
  - (ii) To proceed to the next business
  - (iii) To adjourn the debate
  - (iv) That the question be now put
  - (v) That a member named should be not further heard
  - (vi) That a member named do leave the meeting

- (vii) That the resolution be referred to a committee
- (viii) To exclude the public and press
- (ix) To adjourn the meeting

21. a) A member may remain seated when speaking unless requested by the Chairman to stand.
- b) The ruling of the Chairman on a point of order or on the admissibility of a personal statement shall not be discussed.
- c) Members shall address the Chairman.
- d) If two or more members rise the Chairman shall call on one of them to speak.
- e) Whenever the Chairman rises during a debate all other members shall be seated and silent.

### **CLOSURE**

22. At the end of any speech a member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”. If such a motion is seconded the Chairman shall put the motion, but in the case of a motion “to put the question”, only if he/she is of the opinion that the motion before the Council has been sufficiently debated. If the motion “that the question be now put” he/she shall call on the mover to exercise or waive his/her right of reply, and shall put the question after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

### **DISORDERLY CONDUCT**

23. a) All members must observe the Code of Conduct which has been adopted by the Council, together with any amendments to the Code as may from time to time be adopted by the Council, a copy of which is annexed to these Standing Orders.
- b) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in **such a manner as to bring the Council into disrepute**.
- c) If, in the opinion of the Chairman, a member has broken the provisions of paragraph b) of this Order the Chairman shall express that opinion to the Council, and thereafter any member may move that the member named be no longer heard or that the member named shall leave the meeting, and if the motion is seconded, shall be put forthwith and without discussion. If a member reasonably believes another member is in breach of the Code of Conduct, that member is under a duty to report the breach to the Local Commissioner.
- d) If either of the motions mentioned in paragraph c) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

### **RIGHT OF REPLY**

24. The mover of a resolution shall have the right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to

the vote. A member exercising the right to reply shall not introduce a new matter. After the right to reply has been exercised or waived, a vote shall be taken without further discussion.

### **ALTERATION OF RESOLUTION**

25. A member may, with the consent of his seconder, move amendments to his/her own resolution.

### **RESCISSION OF PREVIOUS RESOLUTION**

26. a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least ten members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- b) When a special resolution or any other resolution moved under the provisions of paragraph a) has been disposed of, no similar resolution may be moved within a further six months.

### **VOTING ON APPOINTMENTS**

27. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

### **DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL**

28. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded (see Standing Order No 53).

### **RESOLUTIONS ON EXPENDITURE**

29. Any resolution, which if carried would in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of the Council, or would involve capital expenditure, shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Council, and the Finance committee shall report on the financial aspects of the matters.

### **EXPENDITURE**

30. Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

### **SEALING OF DOCUMENTS**

31. a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- b) The Council's common seal shall alone be used for sealing documents. It shall be applied by the Proper Officer in the presence of two members who shall sign the document as witnesses.

### **COMMITTEES AND SUB-COMMITTEES**

32. The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such committees as are necessary, but subject to any statutory provision in that behalf:-
  - a) shall not appoint any member of a committee so as to hold office later than the next Annual Meeting,
  - b) may appoint persons other than members of the Council to any committee, and
  - c) may subject to the provisions of Order 26 above at any time dissolve or alter the membership of a committee.
33. The Chairman and Vice-Chairman ex officio shall be members of every committee.
34. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman, and may elect a Vice-Chairman, who shall hold office until the next Annual Meeting of the Council and shall settle its programme of meetings for the year.
35. The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business that will be transacted at that meeting.
36. Every committee may appoint sub-committees for purposes to be specified by the committee. The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.
37. The quorum of a committee or sub-committee shall be as detailed in Standing Order No. 5(c).

### **VOTING IN COMMITTEES**

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

### **PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS**

40. A member who has proposed a resolution which has been referred to any committee of which he/she is not a member, may explain his/her resolution to the committee but shall not vote.



## **ACCOUNTS AND FINANCIAL STATEMENTS**

41. a) Except as provided in sub-paragraph (b) in this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- b) Where it is necessary to make a payment before it has been authorised by the Council, such payments shall be certified as to its correctness and urgency by the Proper Financial Officer and be approved by the Chairman and Vice-Chairman of the Council.
- c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.
42. The Clerk shall supply to each member at the ordinary meeting next after the end of the Financial Year a statement of receipts and payments.

## **ESTIMATES**

43. a) The Council shall approve written estimates for the coming financial year at its meeting in the month of January.
- c) Any committee desiring to incur expenditure shall, not later than December give to the Clerk a written estimate of the expenditure recommended for the coming year.

## **INTERESTS**

44. If any member has any interest, as defined in Part 3 of the Code of Conduct adopted by the Council, in any item about to be discussed or dealt with at any Council, committee or sub-committee meeting, then that interest must be declared and a decision made by the member whether to stay or withdraw according to the requirements of Part 3 of the Code of Conduct.
45. The Clerk is required to compile and hold a register of members' interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute. This register shall be available for inspection by any member upon a request to the Clerk.
46. If a candidate for any appointment under the Council is to their knowledge related to any member of or the holder of any office under the Council, he/she and the person to which he/she is related shall disclose the relationship to the Clerk. A candidate who fails to do so shall be disqualified for such an appointment, and if appointed may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed, Standing Order 44 will apply.
47. The Clerk shall make known the purpose of Standing Order 46 to all candidates.

## **CANVASSING AND RECOMMENDATIONS BY MEMBERS**

48. a) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for

such an appointment. The Clerk shall make known the purport of this subparagraph of the Standing Order to every candidate.

- b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but nevertheless any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

49. Standing Orders 46 and 48 shall apply to tenders as if the person/s making the tender were candidates for appointment.

### **INSPECTION OF DOCUMENTS**

50. A member may for the purpose of his/her duty as such (but not otherwise) inspect any document in possession of the Council or a committee, and shall on request, be supplied with a copy.

51. All minutes kept by the Council and any committee or sub-committee shall be open for inspection by any member of the Council.

### **UNAUTHORISED ACTIVITIES**

52. No member of the Council, or of any committee or sub-committee shall in the name of or on behalf of the Council unless authorised to do so by the Council or the relevant committee:-

- a) Inspect any lands or premises which the Council has a right or duty to inspect OR
- b) Issue orders, instructions or directions.
- c) Save that should an elected member of Killay Community Council also be a member of the City and County of Swansea Council, then in furtherance of any request made by Killay Community Council or any of its committees that the said member in his/her capacity as a member of the City and County of Swansea Council obtain information or investigate action by the City and County of Swansea Council, then the actioning of such request be deemed to be carried out in the said member's capacity as a member of the City and County of Swansea Council and not under the Standing Orders/Code of Conduct of Killay Community Council.
- d) Any requests made to the said member by Killay Community Council or any of its committees shall be minuted as shall the report of the member upon the outcome of the request.

### **ADMISSION TO THE PUBLIC AND PRESS TO MEETINGS**

53. The public and press shall be admitted to all meetings of the Council and its committees and sub-committees, which may however temporarily exclude the public by means of the following resolution:

"That in view of the (*Special/confidential*) nature of the business about to be transacted, it is advisable in the public interest that the public be temporary excluded and they are instructed to withdraw".

**54.** At all meetings of the Council the Chairman may at his/her discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at the meeting.

**55.** The Council shall afford the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. Members of the Public and Press should note that the use of mobile phones and electronic devices is strictly prohibited during meetings, and that photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.

**56.** If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning order that he/she be removed from the meeting and may adjourn proceedings for such a period as is necessary to restore order.

### **CONFIDENTIAL BUSINESS**

**57.** a) No member of the Council or any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council the committee or sub-committee as the case may be.

c) Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the council by the Council.

### **LIAISON WITH CITY & COUNTY OF SWANSEA COUNCILLORS**

**58.** A notice of meeting shall be sent together with an invitation to attend to the City & County of Swansea Councillors for the appropriate Killay Wards.

**59.** Unless the Council otherwise orders, a copy of each letter ordered to be sent to the City & County of Swansea Council shall be transmitted to the City & County of Swansea Councillor for the appropriate Killay Ward as the case may require.

### **PLANNING APPLICATIONS**

**60.** The Chair of the Planning committee will check the Swansea Council planning website weekly to access details of new applications and decisions made. In the absence of the Chair of the Planning committee a person shall be appointed to undertake this procedure.

### **FINANCIAL MATTERS**

**61.** The Council shall consider and approve Financial Regulations in consultation with the Responsible Finance Officer.

(a) Any intended contract for the supply of goods, services or materials, or for the execution of works, exceeding £1,000 but not exceeding £10,000, the Clerk shall give at least 3 weeks public notice of such intention in the same manner as public notice of meetings of the Council is given.

(b) Any proposed contract in excess of £10,000 shall be procured on the basis of a formal tender process as summarised below:

- i) A public notice of intention to place a contract to be placed in a local newspaper.
- ii) A specification of the goods, materials, services and execution of works shall be drawn up.
- iii) Tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated time and date.
- iv) Tenders submitted are to be opened, after the stated closing time and date, by the Clerk and at least one member of Council.
- v) Tenders are to be assessed and reported to the appropriate meeting of Council or committee.
- vi) Neither the Council, nor any committee or sub-committee is bound to accept the lowest tender.
- vii) All tender notices will contain a reference to Standing Orders Nos. 46, 48 and 49 regarding improper activity.

### **CODE OF CONDUCT ON COMPLAINTS**

**62.** The Council shall deal with complaints of maladministration allegedly committed by the Council or any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Commissioner for consideration.

### **VARIATION, REVOCATION OR SUSPENSION OF STANDING ORDERS**

**63.** Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.

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

### **STANDING ORDERS GIVEN TO MEMBERS**

**65.** A copy of these Standing Orders together with any amendments shall be given to each member by the Clerk upon delivery to him/her of the member's declaration of acceptance of office and written understanding to observe the Code of Conduct adopted by the Council.

### **YOUTH REPRESENTATIVES**

**66.** Up to two youth representatives (aged 16 to 25) can be appointed to join the Council to represent the interests of young people. (Reference the Local Government (Wales) Measure 2011).

**67.** In compliance with the Independent Remuneration Panel for Wales annual report February 2023 (Appendix 1), all Councillors are entitled to an annual payment of £156. The payment will be made in full in March to all Councillors who have served since the previous April. Payments to Councillors serving less than twelve months will be equal to £12.50 per month of service (rounded up to whole months as applicable).

Any Councillor declining the payment must notify the Clerk/RFO in writing by the fourth Wednesday in February.

These payments will commence in March 2020 for the 2019/20 financial year.

### **Amendments to Standing orders – June 2022**

Reference The Local Government and Elections (Wales) Act 2021: Statutory Guidance for Community and Town Councils (published 10 June 2022)

#### **68. General Power of Competence (abridged)**

Killay Community Council can pass a formal resolution to become an “Eligible Community Council” if it meets three conditions;

- a) At least two-thirds of the total number of members of the Council have been elected.
- b) The Clerk to the council holds such named qualification or certification as may be specified by Welsh Government (*currently The certificate in Local Council Administration CiLCA*)
- c) The two most recent Auditor General for Wales opinions on the council’s accounts are unqualified. The most recent must have been received in the previous 12 months.

#### **69. Multi-location meetings (abridged)**

The 2021 Act requires that all community councils must make and publish arrangements for its meetings to enable people who are not in the same place to meet. Under the arrangements, councils will need to take reasonable steps to allow meetings to be held from multiple locations. If the arrangements are revised or replaced the new arrangements must also be published.

#### **70. Participation in meetings (abridged) -Refer to Standing orders 53 to 56**

Section 48 of the 2021 Act makes provision for public participation at full community council meetings or those part of meetings which are open to the public. The person presiding over the meeting must give members of the public in attendance a reasonable opportunity to make representations about any business to be discussed at the meeting, unless doing so is likely to prejudice the effective conduct of the meeting. This does not mean that members of the public can take part in debate, but they must be given a reasonable opportunity to make representations about business to be discussed.

#### **71. Annual Reports (abridged)**

Section 52 of the 2021 Act requires community councils, as soon as reasonably practicable after the end of each financial year, to prepare and publish an annual report about the council’s priorities, activities and achievements over the previous year.

#### **72. Environmental / Biodiversity – Three yearly plan**

Section 6 of the Environment (Wales) Act 2016 (“the 2016 Act”) requires all community councils to prepare and publish a plan every three years setting out what they propose to do to maintain and enhance biodiversity, and promote resilience. Under section 6(7) of the

2016 Act, the first such report was required to be published before the end of 2019 with all subsequent reports due for publication before the end of every third year after 2019.

### **73. Training Plans**

Section 67 of the 2021 Act requires community councils to make and publish a plan about the training provision for its members and staff.

Under section 67(4) of the 2021 Act there is a duty on councils to review their training plan periodically. As a minimum this would be at least at every ordinary election of community councillors.

Under section 67(3) of the 2021 Act, plans must be prepared within three months of an ordinary election of community councillors.

In practice, the plan is likely to require revising more frequently, for example, following a council by-election or a new co-opted councillor joining; staff changes; or taking on new responsibilities such as new services or assets.

Where a council revises or replaces its training plan, under section 67(5) of the 2021 Act, the council must publish the revised or new plan.

### **74. Notice of meetings (- *this instruction could be included in existing Standing Order No.1*)**

Part 1 of Schedule 4 to the 2021 Act amends paragraph 26 of Schedule 12 to the 1972 Act in respect of the notice of the time and place of a full council meeting. The notice (including how the meeting may be accessed virtually, if applicable) must be published electronically and in a conspicuous place in the community at least three clear days before the meeting,

### **75. Short notes of meeting**

The 2021 inserts a requirement under section 26ZA of Schedule 12 to the 1972 Act that no later than seven working days of a council meeting, the council must publish electronically a note setting out:

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

### **76. Meetings in licensed premises**

Schedule 4, paragraph 20 of the 2021 Act has amended Schedule 12, paragraph 26 to the 1972 Act. The effect is to remove the restriction on holding community council meetings and sub-committee meetings within licensed premises

Date of review      October 2013  
                              March 2017  
                              January 2019  
                              February 2019  
                              August 2021  
                              June 2022  
                              March 2023 (Councillors remuneration increases to £156 for 2023/24)

## Appendix 1

### **INDEPENDENT REVIEW PANEL ANNUAL REPORT – February 2023.**

Determinations No.4 to be adopted as appropriate to Killay Community Council.

#### **Mandatory Payment to All Councillors**

All community and town councils must make available a payment to each of their members of £156 per year as a contribution to costs and expenses.

#### **Optional Payment to Senior Roles**

Community and town councils in Groups 4 (with an electorate of >1,000 to <4,999) can make an annual payment of up to £500 each to up to 3 members in recognition of specific responsibilities. (subject to full council approval). This is in addition to the £156 payment for costs and expenses.

#### **Optional Payment to Chair**

Community and town councils in Groups 4 (with an electorate of >1,000 to <4,999) can make an annual payment of up to £1,500 a chair (subject to full council approval)

#### **Optional Payment to Deputy Chair**

Community and town councils in Groups 4 (with an electorate of >1,000 to <4,999) can make an annual payment of up to £500 a chair (subject to full council approval)

#### **Optional Payments**

Payments for Attendance Allowance (£30 per meeting), Financial Loss, Travel & Subsistence and Costs of Care & Personal assistance can be made. (Reference scale of costs in IRPW report 2022/23)

#### **Travel & Subsistence**

HMRC mileage allowances as below:

- 45p per mile up to 10,000 miles in the year.
- 25p per mile over 10,000 miles.
- 5p per mile per passenger carried on authority business.
- 24p per mile for private motor cycles.
- 20p per mile for bicycles.

Food – up to £28 per day

#### **Financial Loss**

Community and town councils can pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties as follows:

- Up to £57.20 for each period not exceeding 4 hours
- Up to £114.40 for each period exceeding 4 hours but not exceeding 24 hours.



All community and town councils must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs. Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer.