



Standing Orders

February 2010

PREFACE

This document defines the Parish Council's Standing Orders which include requirements contained within the Code of Conduct. Some of the Standing Orders are compulsory as they are laid down in Acts of Parliament and these are printed in **blue type**. Wherever the masculine gender is used, this should be interpreted as also meaning the feminine gender. The term "Member" exclusively means a Member of the Parish Council. The term "Councillors" exclusively means the relevant District and County Councillors.

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1.0 MEETINGS

- 1.1 **In addition to the statutory Annual Parish Council Meeting, at least three other Parish Council meetings shall be held in each year on such dates, times and in such places that the Council may direct.**
- 1.2 Council meetings shall be held monthly, unless otherwise agreed, on such dates and times and at such locations as the Council may direct.
- 1.3 The Clerk, or in his absence a suitable substitute, will take Minutes of all Council meetings and Draft Minutes will be made available to all Members and Councillors, within five working days of the meeting. Should any Member or Councillor disagree with the accuracy or content of the Minutes, he will inform the Clerk of this within ten working days of the Draft Minutes being made available to him.

- 1.4 At least five working days prior to the next meeting, the Draft Minutes of the previous meeting, amended as necessary following review by Members and Councillors as described in (1.3), will be made available to Members, Councillors and the Public.
- 1.5 The Clerk, taking account of any inputs from Members and the Public, will discuss the Agenda for the next meeting with the Chairman and will make it available to Members, Councillors and the Public at least five working days prior to the next meeting.
- 1.6 Smoking is not permitted at any Council meeting.

2.0 THE ANNUAL PARISH COUNCIL MEETING

- 2.1 In an election year, the Annual Parish Council Meeting shall be held on or within fourteen days of the day on which the Members elected take office.
- 2.2 In a year which is not an election year, the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.

3.0 CHAIRMAN OF THE MEETING

- 3.1 The person presiding at any Council meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

4.0 PROPER OFFICER

- 4.1 The Clerk is the Proper Officer of the Council and will carry out the following actions;
 - 4.1.1 Receiving declarations of acceptance of office
 - 4.1.2 Receiving and recording notices disclosing interests at meetings
 - 4.1.3 Receiving and retaining plans and documents
 - 4.1.4 Signing notices or other documents on behalf of the Council
 - 4.1.5 Issuing and distributing the summons to attend meetings of the Council together with the Agenda
 - 4.1.6 Keeping proper records of all Council meetings

5.0 QUORUM

- 5.1 Three Members shall constitute a quorum at Council meetings.
- 5.2 If during a meeting the number of Members present (not counting those debarred by reason of a declared interest) falls below the quorum, discussion on affected Agenda items will be postponed until the next meeting.

6.0 VOTING

- 6.1 Members shall vote by a show of hands or if at least two Members so request, by signed ballot.
- 6.2 If a Member so requires, the Clerk shall record the names of the Members who voted on any resolution, showing whether they voted for or against it. Such a request must be made before moving on to the next business.
- 6.3 Subject to Standing Orders (6.4) and (6.5), the Chairman may give an original vote on any matter put to the vote and in any case of an equality of votes, may give a casting vote whether or not he gave an original vote.
- 6.4 If the person presiding at the Annual Parish Council Meeting would have ceased to be a Member but for the statutory provisions which preserve the Membership of the Chairman and Vice-Chairman until the end of their term of office, he may not give an original vote in an election for Chairman.
- 6.5 The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

7.0 ORDER OF BUSINESS

7.1 At each Annual Parish Council Meeting the first business shall be:-

- 7.1.1 To elect a Chairman of the Council for the following year subject to (7.1.2)
- 7.1.2 The current Chairman, should he have been Chairman for the past three years, may not be elected Chairman for the following year
- 7.1.3 To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received
- 7.1.4 In the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations
- 7.1.5 To decide when any declarations of acceptance of office which have not been received as provided by law shall be received
- 7.1.6 To elect a Vice-Chairman of the Council
- 7.1.7 To appoint Officers or Representatives to outside bodies

and shall thereafter follow the order set out in Standing Order (7.6).

7.2 At every meeting other than the Annual Parish Council 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) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.

7.3 Prior to the commencement of each Council meeting, there shall be the opportunity for a Public Forum. This shall last for a maximum period of fifteen minutes with each individual speaker being allowed a maximum of three minutes.

7.4 If a Member with a prejudicial interest wishes to speak on an Agenda item, that interest and intention must be stated immediately after the first item on the Agenda. The Chairman will look to secure a balance of Public speakers and need not call everyone. The Public participation is not to be part of the debate but merely providing inputs and answering questions in the same manner as the Member with the prejudicial interest.

7.5 Every year, not later than the meeting at which the Precept for following year is agreed, the Council shall review the pay and conditions of service of existing employees. See also Standing Order (18.1).

7.6 After the first business has been completed, the order of business, unless the Council decides otherwise, shall be as follows:-

- 7.6.1 To read and consider the Minutes; provided that if a copy of the Draft Minutes has been circulated to each Member not later than the day of issue of the Agenda for the next meeting, the Minutes may be taken as read
- 7.6.2 After consideration, to approve the signature of the Minutes by the person presiding, as a correct record
- 7.6.3 To deal with business expressly required by statute to be done
- 7.6.4 To review reports from Members, Councillors, Officers and Representatives
- 7.6.5 To discuss Agenda items For Discussion
- 7.6.6 To consider Planning Applications
- 7.6.7 To communicate and discuss any Information Items
- 7.6.8 To authorise Payments

8.0 VARIATION OF ORDER OF BUSINESS

8.1 A resolution to vary the order of business may be proposed by the Chairman or by any Member and if proposed by the Chairman, may be put to the vote without being seconded.

9.0 RESOLUTIONS MOVED WITH NOTICE

9.1 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates is on the Agenda.

- 9.2 If a resolution or recommendation specified in the Agenda is not moved either by the Member who gave notice of 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.
- 9.3 Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties.

10.0 RESOLUTIONS MOVED WITHOUT NOTICE

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

- 10.1.1 To appoint a Chairman of the meeting
- 10.1.2 To correct the Minutes
- 10.1.3 To approve the Minutes
- 10.1.4 To vary the Order of Business
- 10.1.5 To proceed to the next Agenda item
- 10.1.6 To close or adjourn the debate
- 10.1.7 To amend a resolution
- 10.1.8 To give leave to withdraw a resolution or amendment
- 10.1.9 To extend the time limit for speeches
- 10.1.10 To exclude the Press and Public
- 10.1.11 To silence or eject from the meeting a Member named for misconduct
- 10.1.12 To give the consent of the Council where such consent is required by these Standing Orders
- 10.1.13 To suspend any Standing Order
- 10.1.14 To adjourn the meeting

11.0 RULES OF DEBATE

- 11.1 No discussion of the Minutes shall take place except regarding their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- 11.2 A resolution or amendment moved with notice shall not be discussed until it has been proposed and seconded.
- 11.3 An amendment shall not have the effect of negating the resolution before the Council.
- 11.4 If an amendment is 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.
- 11.5 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- 11.6 The mover of a resolution or amendment shall have a right of reply, not exceeding two minutes.
- 11.7 A motion or amendment may be withdrawn by the proposer with the consent of the Council and no Member may speak upon it after permission has been asked for its withdrawal, unless such permission has been refused.
- 11.8 When a resolution is under debate no other resolution shall be moved except the following:-
- 11.8.1 To amend the resolution
 - 11.8.2 To proceed to the next business
 - 11.8.3 To adjourn the debate
 - 11.8.4 That the question be now put
 - 11.8.5 That a Member named be not further heard
 - 11.8.6 That a Member named leaves the meeting
 - 11.8.7 To exclude the Public and Press
 - 11.8.8 To adjourn the meeting

- 11.9 The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- 11.10 Members shall address the Chairman only. If two or more Members wish to speak, the Chairman shall decide who to call upon.
- 11.11 Whenever the Chairman speaks during a debate all other Members shall be silent.

12.0 CLOSURE

- 12.1 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 does now adjourn”. If such motion is seconded, the Chairman shall put the motion but, in the case of a motion “that the question be now put”, only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately 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.

13.0 DISORDERLY CONDUCT

- 13.1 All Members must observe the Code of Conduct.
- 13.2 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.
- 13.3 If, in the opinion of the Chairman, a Member has broken the provisions of Standing Orders (13.1) or (13.2), 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 do leave the meeting and the motion, if seconded, shall be put forthwith and without discussion.
- 13.4 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 Standards Board.
- 13.5 If either of the motions mentioned in Standing Order (13.3) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

14.0 RIGHT OF REPLY

- 14.1 The mover of a resolution shall have a 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 a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

15.0 ALTERATION OF RESOLUTION

- 15.1 A Member may, with the consent of his seconder, move amendments to his own resolution.

16.0 RESCISSION OF PREVIOUS RESOLUTION

- 16.1 A decision of the Council shall not be reversed within six months except by a special resolution, the written notice whereof bears the names of at least two Members.
- 16.2 When a special resolution or any other resolution moved under the provisions of Standing Order (16.1) has been disposed of, no similar resolution may be moved within the next six months.

17.0 VOTING ON APPOINTMENTS

- 17.1 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. Where more than one person has the least number of votes, the Chairman will provide a casting vote to determine who will be struck off the list.

18.0 DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

18.1 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 has decided whether or not the Press and Public shall be excluded. See also Standing Order (7.5).

19.0 RESOLUTIONS ON EXPENDITURE

19.1 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 which would involve significant capital expenditure, shall, when proposed and seconded, stand adjourned without discussion until the next ordinary meeting of the Council.

20.0 EXPENDITURE

20.1 [Orders for the payment of money shall be authorised by resolution of the Council and signed by two Members.](#)

20.2 Where proposed expenditure is expected to exceed £100, the Clerk will obtain a minimum of three quotations for consideration by the Council at the next meeting. This requirement shall not apply in the case of renewing an annual contract, providing three quotations have been sought for the work within the past three years.

21.0 SPECIAL MEETING

21.1 The Chairman may summon an additional meeting at any time. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

22.0 ACCOUNTS AND FINANCIAL STATEMENTS

22.1 Except as provided in Standing Order (22.2) or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.

22.2 Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the Clerk. Such payment shall be expressly authorised by the Proper Officer for payment with the approval of the Chairman or Vice-Chairman of the Council.

22.3 All payments ratified under Standing Order (22.2) shall be separately included in the next schedule of payments before the Council.

22.4 The Responsible Financial Officer shall supply to each Member for review at the May meeting a Statement of Accounts prepared on the appropriate accounting basis (balance sheet and income and spend statement) for the previous financial year together with a copy of the Annual Return which will then be subject to external audit.

22.5 The Responsible Financial Officer will ensure that at the appropriate time following the end of the financial year, the Exercise of Electors' Rights process is properly followed.

23.0 PRECEPTS

23.1 The Council shall approve a written estimate for the Precept for the following financial year at its November meeting.

24.0 INTERESTS

24.1 [If a Member has a personal interest then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.](#)

24.2 If a Member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.

24.3 The Clerk may be 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.

25.0 CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

25.1 Canvassing of Members, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment.

25.2 A Member 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.

25.3 Standing Orders (25.1) and (25.2) shall apply to tenders as if the person making the tender were a candidate for an appointment.

26.0 INSPECTION OF DOCUMENTS

26.1 A Member may, for the purpose of his duty, but not otherwise, inspect any document in the possession of the Council and upon request, be supplied for the purpose of his duty, but not otherwise, with a copy.

26.2 All Minutes kept by the Council shall be open for the inspection of any Member.

27.0 UNAUTHORISED ACTIVITIES

27.1 No Member shall in the name of or on behalf of the Council:-

- 27.1.1 Inspect any lands or premises which the Council has a right or duty to inspect; or
- 27.1.2 Issue orders, instructions or directions.

unless authorised to do so by the Council.

28.0 ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

28.1 The Public and Press shall be admitted to all meetings of the Council, which may, however, temporarily exclude the Public and Press 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 and Press be temporarily excluded and they are instructed to withdraw."

28.2 The Council shall state the special reason for exclusion.

28.3 At all Council meetings the Chairman may at his discretion and at a convenient time in the transaction of business, adjourn the meeting to allow any members of the Public to address the meeting in relation to the business to be transacted at that meeting.

28.4 The Clerk shall afford to the Press reasonable facilities for the making of their reports of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

28.5 If a Member of the Public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

29.0 CONFIDENTIAL BUSINESS

- 29.1 No Member shall disclose to any person not a Member any business declared to be confidential by the Council.

30.0 LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

- 30.1 An Agenda for each meeting shall be sent, together with an invitation to attend, to the appropriate Councillors.

31.0 PLANNING APPLICATIONS

- 31.1 The Clerk will, upon receipt of a planning application, inform all Members of its existence and arrange for a minimum of two Members to visit the applicant and report back to the Council at the next meeting.

- 31.2 Under the circumstances where a response to a planning application is required prior to the next Council meeting, the Chairman may;

31.2.1 Ask the Clerk to seek permission from the Planning Authority to delay the Parish Council response until after the next meeting and if this is denied;

31.2.2 Call a suitably timed special Council meeting to discuss the application.

32.0 CODE OF CONDUCT ON COMPLAINTS

- 32.1 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any Member except for those complaints which should be properly directed to the Standards Board.

33.0 VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 33.1 Any or every part of the Standing Orders except those printed in blue may be suspended by resolution in relation to any specific item of business.

- 33.2 A resolution permanently to add, vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion until the next Council meeting.

34.0 STANDING ORDERS TO BE GIVEN TO MEMBERS

- 34.1 A copy of these Standing Orders shall be given to each Member by the Clerk upon delivery to him of the Member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.