



## **STANDING ORDERS**

20th April 2011

*The Standing Orders printed in bold type are mandatory by law*

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## MEETINGS

1. **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.**
2. **When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count.**
3. **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.**
4. Subject to standing order 3, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda, or speak on any parish matter after having given at least seven (7) days notice to the clerk of the nature of the business.
5. The period of time which is designated for public questions (in accordance with standing order 4 shall not exceed ten (10) minutes. However, the Chairman will have the discretion to extend public questions if the need arises.
6. Subject to standing order 5, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than five (5) minutes.
7. In accordance with standing order 4, a question asked by a member of the public during a public question time at a meeting shall not require a response or debate.
8. In accordance with standing order 7, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to the Clerk for a written or oral response.
9. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
10. A person shall stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking.
11. Any person speaking at a meeting shall address his comments to the Chairman.
12. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking

13. Where more than one person wishes to speak on the same subject matter, the Chairman may direct one person to speak on their behalf.
14. **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent. (Public Bodies (Admission to Meetings) Act 1960 s1(7))**
15. In accordance with standing order 3, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
16. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.**
17. **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, 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. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.**
18. **The minutes of a meeting shall record the names of councillors present and absent.**
19. If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
20. The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
21. An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also standing orders 53 and 72 to 76 below.)

### **EXTRAORDINARY MEETINGS**

22. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
23. **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such meeting must be signed by the two councillors.**
24. **The Chairman of a committee may convene an extraordinary meeting of the committee at any time.**

## QUORUM

25. **No business may be transacted at a council meeting unless at least one third of the whole number of members of the Council (4 out of 10) are present and in no case shall the quorum of any committee meeting be less than 3.**
26. **If a quorum is not present when the Council meets or if during a meeting the number of Councillors present and not debarred by reason of a declared pecuniary interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.**

## VOTING

27. Subject to standing order 25, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
28. Members shall vote by show of hands or, if at least two members so request, by ballot.
29. **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. Such a request shall be made before the vote is taken and before moving on to the next item of business on the agenda.**
30. **(a)Subject to (b) and (c) below, the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though he gave no original vote.**  
**(b)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 may not give an original vote in an election for Chairman.**  
**(c)The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**  
**(d)Chairmen of Committees and any sub-committees shall, in the case of an equality of votes, have a second or casting vote.**

## **ORDINARY COUNCIL MEETINGS**

*(See also Standing Orders 1-21 above)*

- 31. In an election year, the annual meeting of the Council shall be held on or within fourteen (14) days following the day on which the new councillors elected take office.**
- 32. 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 may direct.**
- 33. If no other time is fixed, the annual meeting of the Council shall take place at 6.00pm.**
- 34. 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 directs.**
- 35. The election of the Chairman and Vice Chairman of the Council shall be the first business completed at the annual meeting of the Council.**
- 36. The Chairman of the Council, unless he/she 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 or until such a time as a new Chairman is elected.**
- 37. The Vice-Chairman of the Council, if any, unless he/she 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 or until such a time as a new Vice-Chairman is elected.**
- 38. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he/she 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.**
- 39. In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he/she shall preside at the 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 must give a casting vote in the case of an equality of votes.**
- 40. In the event of severe weather conditions or any other emergency the Clerk may, in consultation with the Chairman of Council, cancel any meeting of Council, a committee or a sub-committee and shall give immediate notice of such cancellation to as many members of council as is practicable.**
- 41. Smoking is not permitted at any meeting of the Council.**

## PROPER OFFICE

42. **The Council's Proper Officer shall be the clerk or such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence.** The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
43. The Council's Proper Officer shall do the following -
- a) Sign and serve on councillors by electronic means or by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and subcommittee at least three (3) clear days before the meeting.
  - b) Give public notice of the time, date, venue and agenda at least three (3) clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).
  - c) Include in the agenda all motions in the order received unless a councillor has given written notice at least seven (7) days before the meeting confirming his/her withdrawal of it.
  - d) Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his/her office.
  - e) Make available for inspection the minutes of meetings.
  - f) Receive and retain copies of byelaws made by local authorities.
  - g) Receive and retain declarations of acceptance of office from councillors.
  - h) Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
  - i) Keep proper records required before and after meetings.
  - j) Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
  - k) Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - l) Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
  - m) Arrange for legal deeds to be signed by two (2) councillors and witnessed.
  - n) Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
  - o) Record every planning application notified to the Council and the Council's response to the local planning authority in an electronic file or book for such purpose.

- p) Refer planning applications received by the Council to the Chairman of the Planning Committee or in his absence to the Vice Chairman of the Planning Committee within 48 hours, or as soon as reasonably practicable, of receipt to facilitate an extraordinary meeting of the Planning Committee or Council if the nature of a planning application requires consideration before the next meeting of the Planning Committee or Council.
- q) Action or undertake activities or responsibilities instructed by resolution or contained in Standing Orders.
- r) Declare any casual vacancy arising in the office of councillor following resignation, ceasing to be qualified, disqualification or loss of office due to failure to attend; and then to carry out the necessary steps to proceed towards filling the vacancy as appropriate.
- s) To receive and retain documents and plans.
- t) To sign notices and other documents on behalf of the Council.
- u) To certify copies of bylaws made by the Council.

## **ORDER OF BUSINESS**

*(In an election year, to receive the returning officer's report on the result of the election. 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.)*

### **44. AT THE MEETING OF THE ANNUAL COUNCIL**

- a) Election of the Chairman of the Council (and the taking of the Chairman's acceptance of office or if then not received to decide when it shall be received).**
- b) Election of Vice-Chairman of the Council.**
- c) In the year of election, delivery by councillors of their declarations of acceptance of office and to decide when any declarations of acceptance of office which have not been received shall be received.**
- d) In the year of election, to consider the filling of any vacancies left unfilled at the election by reason of insufficient nominations.**
- e) To confirm the accuracy of the minutes of the last meeting of the Council, and the signing by the person presiding as a correct record.**
- f) To appoint committees, terms of reference and delegation arrangements, number of members, and to receive nominations to committees.
- g) To nominate representatives to village activities/bodies.
- h) To consider any matters arising on the minutes of the last meeting.

- i) To consider reports by Chairman of Committees and determine recommendations made by Committees.
- j) To arrange a review and adoption of standing orders and financial regulations. (If appropriate)
- k) To review the inventory of land detailing deeds as well as other assets including office Equipment.
- l) Review of insurance cover in respect of all insured risks.
- m) Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.
- n) To receive reports by county and district councillors.
- o) To consider any matters raised at a Parish Meeting not otherwise included on the agenda.
- p) Correspondence, if any.
- q) To authorise Payments.

45. **AT ORDINARY MEETINGS OF COUNCIL**

**At every meeting other than the Annual Meeting, if the Chairman and Vice-Chairman be absent, the first business shall be to appoint a Chairman of the meeting.**

46. The order of business, unless the Council otherwise decides on the grounds or urgency, shall be as follows:
- (a) **To confirm the accuracy of the minutes of the last meeting of the Council, and the signing by the person presiding as a correct record.**
  - (b) To consider any matters arising on the minutes of the last meeting.
  - (c) To consider reports by Chairman of Committees and determine recommendations made by Committees.
  - (d) To consider reviews referred from Annual Meeting of Council.
  - (e) **To deal with business expressly required by statute to be done.**
  - (f) Any other business specified in the summons.
  - (g) In every year at the July meeting the Council shall review the pay and conditions of service of existing employees.
  - (h) In every year at the March meeting the Council shall review its procedures and policies with regard to handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998, and for dealing with the press and media, green issues and play areas.

- (i) To receive reports by county and district councillors.
- (j) To consider any matters raised at Annual Parish Meeting not otherwise included on the agenda.
- (k) Correspondence, if any.
- (l) To authorise Payments.

47. A motion to vary the order of business on the ground of urgency -
- a) 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, and
  - b) shall be put to the vote without discussion.

### **MOTIONS MOVED ON NOTICE**

48. Except as provided by these Standing Orders, no motion 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 seven (7) days prior to the next meeting of the Council.
49. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents

### **MOTIONS MOVED WITHOUT NOTICE**

50. Motions dealing with the following matters may be moved without notice:
- (a) To appoint a Chairman of a meeting.
  - (b) To approve the absences of councillors.
  - (c) To correct an inaccuracy in the Minutes of the previous meeting.
  - (d) To approve the accuracy of the Minutes of the previous meeting.
  - (e) To alter the order of business on the agenda for reasons of urgency or expedience.
  - (f) To proceed to the next business on the agenda.
  - (g) To close or adjourn the debate.
  - (h) To refer a matter to a committee or working group.
  - (i) To appoint a committee or any members there to, and to receive nominations to a committee or working group.
  - (j) To dissolve a committee or working group.
  - (k) To note the minutes of a Committee or working group.
  - (l) To adopt a report.
  - (m) To amend a motion.
  - (n) To give leave to withdraw a motion or an amendment.
  - (o) To exclude the public. *(See Standing Orders 89 to 91 below).*
  - (p) To extend the time limit on speeches.
  - (q) To silence or eject from the meeting a councillor or a member of the public for disorderly conduct. *(See Standing Order 57).*

- (r) **To invite a member having a prejudicial interest in the subject matter under debate to remain. (See Standing Orders 72 & 73).**
- (s) To exclude the press and public for all or any part of the meeting.
- (t) To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- (u) To give the consent of the Council where such consent is required by these Standing Orders.
- (v) **To suspend any Standing Order except those which are mandatory by law. (See Standing Order 102.)**
- (w) To adjourn the meeting.

## **RULES OF DEBATE**

- 51.
- a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
  - b) Members shall address the Chairman.
  - c) Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
  - d) A motion shall not be considered unless it has been proposed and seconded. The seconder of any motion may choose to speak after the proposer or at the end of the debate but not twice, except to clarify a point of order.
  - e) A motion included in an agenda not moved by the councillor who tabled it, will be treated as withdrawn and there will be no discussion.
  - f) A motion to amend an original or substantive motion shall not be considered unless the original or substantive motion has been seconded. A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
  - g) Any amendment to a motion shall be either:
    - i to leave out words
    - ii to add words
    - iii to leave out words and add other words
  - h) A proposed amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
  - i) If an amendment is carried, the amendment, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved
  - j) Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
  - k) Subject to Standing Order (i) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

- l) Pursuant to standing order (i) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- m) If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- n) The mover of a motion or the mover of an amendment and any other member shall speak for no longer than five (5) minutes without the consent of the Council and only the mover shall have a right of reply, not exceeding three (3) minutes but should not introduce any new matter.
- o) Where a series of amendments to an original motion are carried, the mover of the original motion shall not have a right of reply in respect of the substantive motion.
- p) A councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- q) 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 irregularity in the meeting he is concerned by.
- r) A point of order shall be decided by the Chairman and his decision shall be final.
- s) With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- t) When a councillor's motion is under debate no other motion shall be moved except:
- i to amend the motion
  - ii to proceed the next business
  - iii to adjourn the debate
  - iv to put the motion to a vote
  - v to ask a person to be silent or for him to leave the meeting
  - vi to refer a motion to a committee or subcommittee for consideration
  - vii to exclude the public and press
  - viii to adjourn the meeting
  - ix to suspend any standing order, except those which are mandatory
- u) In respect of standing order (t)iv above, the Chairman shall first be satisfied that the motion has been seconded and sufficiently debated before it is put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of Reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

## **URGENT BUSINESS**

52. Where a decision is required before the next meeting of the council or any standing committee, or if there is insufficient time for an extraordinary meeting to be called, decisions shall be taken by the Clerk (or in their absence the Chairman) of the Council in consultation with the relevant Chairman within whose meetings remit the decision falls. In all cases the clerk will ensure that details of the decision will be circulated to all members of the Council within seven days and reported to the next appropriate meeting and recorded in the minutes.

Wherever possible, the Clerk will contact all members of the Council to canvas views prior to a decision being taken.

## **CODE OF CONDUCT**

53. **All councillors shall observe the code of conduct adopted by the council, a copy of which has been issued to all councillors.**

## **CODE OF CONDUCT ON COMPLAINTS**

54. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or Member in the manner recommended in the Local Government Act 2000.
- a) On receipt of a notification that there has been an alleged breach of the code of conduct, the proper officer shall refer it to the Council.
  - b) Where the notification relates to a complaint made by the proper officer, the proper officer shall notify the Chairman of the Council of that fact, who, upon receipt, shall nominate a person to assume the duties of the proper officer set out in this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
  - c) Where a notification relates to a complaint made by an employee (not being the proper officer) the proper officer shall ensure that the employee in question does not deal with any aspect of the complaint.
  - d) The subject matter of notifications shall be confidential and insofar as it is possible to do so by law, the Council shall take the following steps to maintain confidentiality:
    - (i) Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed;
    - (ii) Ensure that any background papers containing the information set out in standing order (a) above are not made public;
    - (iii) Ensure that the public and press are excluded from meetings as appropriate;
    - (iv) Ensure that the minutes of meetings preserve confidentiality;
    - (v) Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

- e) Standing Order (d) above should not be taken to prohibit the Council from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- f) The Council shall have the power to:
  - (i) seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
  - (ii) seek and share information relevant to the complaint;
  - (iii) grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the Council
- g) References in this standing order to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a Councillor.

### **QUESTIONS**

- 55. a) A councillor may seek an answer to a question concerning any business of the Council not on the Agenda provided seven (7) clear days notice of the question has been given to the Proper Officer.
- b) Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions from the public.
- c) Every question shall be put and answered without discussion.

### **MINUTES**

- 56. a) If a copy of the draft minutes of a preceding meeting has been circulated to councillors they shall be taken as read.
- b) No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 50(c).
- c) Minutes, including any amendment to correct their accuracy, 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/she 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 Council/Committee held on [date] in respect of [matter contested] were a correct record but his/her view was not upheld by the majority of the members and the minutes are confirmed as an accurate record of the proceedings.”

- e) Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.
- f) Minutes will be records of what was decided at the meeting and not verbatim records of who said what.

### **DISORDERLY CONDUCT**

- 57. a) No councillor or member of the public 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 scandalise the Council or bring it into contempt or ridicule.
- b) If, in the opinion of the Chairman, a person has broken the provisions of paragraph (a) of this Order, the Chairman shall express that opinion to the Council and thereafter any councillor (including the Chairman) may move that the person named be no longer heard or that the person named do leave the meeting, and the motion to exclude, if seconded, shall be put forthwith and without discussion.
- c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them, or he may adjourn the meeting.

### **RESCISSION OF PREVIOUS RESOLUTION**

- 58. a) A decision (whether affirmative or negative) of the Council shall not be reversed within three months except either by a special motion, the written notice whereof bears the names of at least 4 members of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b) When a special motion or any other motion moved under the provisions of paragraph (a) of this Order has been disposed of, no similar motion may be moved within a further six Months.

### **VOTING ON APPOINTMENTS**

- 59. 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. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

## **MATTERS AFFECTING COUNCIL EMPLOYEES**

60. a) If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 3. It shall also consider whether other councillors shall be excluded to ensure proper process in any appeal.
- b) Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Clerk relates to a councillor this shall be communicated to the Chairman of the Council or to another member of the Council as the case may be, and be reported to Council for resolution.

## **EXPENDITURE**

61. Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.
62. Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.
63. **The Council's Financial Regulations shall be reviewed annually.**

## **ACCOUNTS AND FINANCIAL STATEMENT**

64. a) Except as provided in paragraph (b) of 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 payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the Proper Officer for payments with the approval of the Chairman or Vice-Chairman of the Council and be reported to Council at its next meeting.
- c) All payments ratified under sub-paragraph (b) of this Standing Order shall be included in the next schedule of payments laid before the Council.
- d) The Clerk shall supply to each councillor as soon as is practicable after the end of the Financial Year a statement of receipts, payments and balances held as at 31 March. This statement should include a comparison with the budget for the financial year ended. (See paragraph 4 of Financial Regulations).
- e) The Clerk shall supply to each councillor as soon as practicable a statement summarising the Council's receipts and payments as at the 30 September in each year. This statement should include a comparison with the budget for the financial year.

## ESTIMATES

65. a) Any Member or Committee desiring to incur expenditure shall, at the Council's meeting in the month of December, give an estimate of the expenditure required for the coming year.
- b) The Council shall receive written estimates for the coming financial year at its meeting in the month of December.
- c) **The Council shall approve a final budget for the coming financial year at its meeting in the month of January.**

## FINANCIAL MATTERS

66. 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:
  - a) the accounting records and systems of internal control;
  - b) the assessment and management of financial risks faced by the Council;
  - c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
  - d) the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
  - e) procurement policies.
67. Any proposed contract for the supply of goods, materials, services and the execution of works for more than £250 shall be procured on the basis of a formal tender.
68. Any formal tender process shall comprise the following steps:
  - a) a public notice of intention to place a contract to be advertised locally;
  - b) a specification of the goods, materials, services and the execution of works shall be drawn up;
  - c) tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
  - d) tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least two members of the Council;
  - e) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
69. Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
70. **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No.6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

## LEGAL DEEDS

71. a) A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b) In accordance with a resolution made under standing order (a) above, any two (2) members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

## INTERESTS

72. If any Member has a prejudicial interest in any matter, as defined by the Local Government Act 2000 and The Parish Councils (Model Code of Conduct Order) 2001, he must withdraw from the room where a meeting is being held whenever it becomes apparent that the matter is being considered by that meeting, unless he has obtained a dispensation from the Standards Committee of the responsible authority; and must not seek improperly to influence a decision about that matter.
73. **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.**
74. A Member who has declared a personal interest which is not prejudicial, as defined by the Local Government Act 2000 and The Parish Councils (Model Code of Conduct Order) 2001, may speak and vote on the matter being considered at the meeting.
75. **The Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any Member or any officer of the Council of a personal or prejudicial interest in a contract, and the book shall be open during reasonable hours of the day for the inspection of any Member.**
76. If a candidate for any appointment under the Council is to his knowledge related to any Member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such 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 relationship to a Member is disclosed Standing Order 83 shall apply.
77. The Clerk shall make known the purport of this Standing Order to every candidate.

## PERSONAL INTERESTS

78. You have a personal interest in any business of your authority where it relates to or is likely to affect:
- any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
  - any body exercising functions of a public nature; directed to charitable purposes; or one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management
  - any employment or business carried on by you;
  - any person or body who employs or has appointed you;
  - any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
  - any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
  - any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
  - the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
  - any land in your authority's area in which you have a beneficial interest;
  - any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
  - any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or

A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of people in the parish.

Relevant person is:

- a member of your family or any person with whom you have a close association,
  - any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
  - any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000
79. **Disclosure of Personal Interests**
- Where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- Where you have a personal interest in any business of your authority which relates to or is likely to affect a relevant person you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

80. **Prejudicial Interests**

Where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

81. **Effect of prejudicial interests on participation**

Where you have a prejudicial interest in any business of your authority:

You must withdraw from the room or chamber where a meeting considering the business is being held unless you have obtained a dispensation from the Standards Committee;

82. **Effect of prejudicial interests on participation where public speaking is permitted**

Where the public are allowed to attend a meeting to make representations, answer questions or give evidence to a meeting a member with a prejudicial interest may attend the meeting for this same purpose.

The member must not seek improperly to influence a decision about that business. The member must withdraw from the meeting room immediately after making representations, answering questions or giving evidence.

## **CANVASSING AND RECOMMENDATIONS BY MEMBERS**

83. a) Canvassing of Members of the Council or of any Committee, directly or indirectly, for any appointment to or by the Council shall disqualify the candidate from such an appointment. The Clerk shall disclose the requirements of this standing order to every candidate.

b) A Member of the Council or of any Committee shall not solicit a person for appointment to or by the Council or recommend a 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.

84. This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **INSPECTION OF DOCUMENTS**

85. Subject to standing orders to the contrary, or in respect of matters which are confidential, any councillor or member of the public may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a Committee, and if copies are available shall, on request, be supplied with a copy for the same purpose.

86. Members of the public may be charged at cost for the copying of documents.

87. **All Minutes kept by the Council and by any Committee shall be open for the inspection of any councillor or member of the public.**

## **UNAUTHORISED ACTIVITIES**

88. Unless authorised by a resolution, no individual councillor shall in the name of or on behalf of the Council, a committee or a sub-committee
- a) inspect any land and/or premises which the Council has a right or duty to inspect; **or**
  - b) issue orders, instructions or directions; **or**
  - c) act in the name of the Council.

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

89. **The public 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 temporarily excluded and they are instructed to withdraw."

*(Note: The special reasons should be stated. If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed.)*

90. **The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.**
91. 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. (See Standing Order 57).

## **RELATIONS WITH THE PRESS/MEDIA**

92. All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
93. In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

## **FREEDOM OF INFORMATION ACT 2000**

94. All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
95. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests (See standing order 43(j)).

## **CONFIDENTIAL BUSINESS**

96. a) No Member of the Council or of 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 the Sub-committee as the case may be.
- b) Any Member in breach of the provisions in paragraph (a) of this Standing Order may be removed from any Committee or Subcommittee of the Council by a resolution of the Council.

## **POWER OF WELL BEING**

97. a) **Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b) **The Council's period of eligibility begins on the date that the resolution (under standing order (a) above) was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- c) **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order (b) above.**

## **LIAISON WITH COUNTY AND DISTRICT COUNCILLORS**

98. A notice of meeting shall be sent, together with an invitation to attend, to the County Councillor or Councillors for the county division and to the District Councillor or Councillors for the district ward.
99. Unless the Council otherwise orders, a copy of each letter to be sent to the County or District Council shall be transmitted to the County Councillor(s) for the division or to the District Councillor(s) for the ward as the case may require.

## **PLANNING APPLICATIONS**

100. a) The Clerk shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council:
- (i) the date on which it was received;
  - (ii) the name of the applicant;
  - (iii) the place to which it relates;
  - (iv) a summary of the nature of the application;
  - (v) the decision on the application by the planning authority.
- b) The Clerk shall refer every planning application to the Chairman of the Planning Committee, or in his/her absence to the Vice Chairman of the Planning Committee, within 48 hours of receiving it or as soon as reasonably practicable thereafter.

## **STANDING ORDER CONTRACTS**

101. Every contract shall comply with the Financial Regulations as adopted by the Parish Council in March 2011.

## **VARIATION, REVOCATION AND SUSPENSION STANDING ORDERS**

102. Any or every part of the Standing Orders except those which are mandatory by law and are printed in bold type, may be suspended by resolution in relation to any specific item of business.
103. A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.

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

104. The Proper Officer shall provide a copy of the Council'
105. The Chairman's decision as to the application of standing orders at meetings shall be final
106. A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.