

PREFACE

This booklet contains two major sections. Part I is intended as a guide for those presiding at meetings of the Parish Council and a source to refer to when there is a procedural difficulty during a meeting. Part II provides a complete model set of Standing Orders incorporating various new requirements, such as those to be observed under the new Code of Conduct. Even if Standing Orders have not been formally adopted, a Chairperson can use them as a basis for ruling on procedures if there is a dispute.

Some of the Standing Orders are compulsory as they are laid down in Acts of Parliament. These are printed in **bold type**. These Standing Orders cannot be altered.

If the words “Local Councils” are used, it means Parish and Town Councils in England and Community and Town Councils in Wales.

INDEX

Part I: Chairperson – Pages 3 – 12

Part II: Standing Orders – Pages 13 – 29

PART I: CHAIRPERSON – PAGES 2 TO 13

1.	Basic Principles	2
2.	The Authority of the Chairperson	2
3.	Preliminary	3
4.	Outside Interference	3
5.	A Clear Issue	5
6.	Method of Voting	6
7.	Completeness of Information	6
8.	Impartiality	7
9.	Relevance	7
10.	Reasonable Dispatch	8
11.	Some Procedural Points	9
12.	Use of Chairperson’s votes	11
13.	Presence of the Public and Press	11
14.	Maladministration	12
15.	Public Participation	12
16.	Length of Meetings	12

(NOTE: in this part, the word “Chairperson” means the person actually presiding at a meeting and “Council” includes “Committees” where any function has been delegated. The Standing Orders in Part II may be applied or modified accordingly.)

BASIC PRINCIPLES

1. The Officers and Agents of the Council must act as the Council’s Executive and carry out its decisions. They cannot do this properly unless they have instructions that they can understand.
2. It is the primary, if not the only, function of the Council to frame instructions upon which people can act; even a decision to take no action is such an instruction.
3. The Council’s instructions are conveyed by resolutions and it is the purpose of the Council’s proceedings to *reach, without unreasonable delay, an intelligible and lawful decision for the right reasons. The whole duty of the Chairperson is to ensure that this purpose is achieved and to this end must:*
 - a. Protect the Council against outside influence;
 - b. Ensure that everything to be discussed is lawful;
 - c. Ensure that the Council is invited to deal with clear issues;
 - d. Ensure that as far as possible information is complete;
 - e. Permit every point of view to have a fair hearing;
 - f. Ensure that opinions expressed are relevant to the matter in hand;
 - g. Ensure that business is transacted with reasonable speed;
 - h. Ensure as far as possible that proceedings are friendly and free from personalities
 - i. Co-operate with the Officers and Councillors

THE AUTHORITY OF THE CHAIRPERSON

Origin

4. The office of Chairperson of a Local Authority is created by statute, which has conferred upon the occupant of the Chairperson a second casting vote on all occasions but one. The scope of their authority, however, depends upon ancient customs which are perfectly logical and arise from the necessities of the case.

Nature and Limitations

5. Whether or not the Council has passed any Standing Orders, the Chairperson's procedural authority is derived from the Council as a whole and an individual councillor must obey their ruling because they are the rulings of the Council itself. It follows from this, however, that the Chairperson cannot overrule the Council and that a Councillor who is dissatisfied by the Chairperson's ruling may invite the Council to disagree with it. Such appeals against the Chairperson ought to be very rare.
6. The authority of the Chairperson, as such, is limited to matters of procedure and neither increases nor decreases their right (in comparison with other members) to discuss the merits of a particular case. It is one of their most difficult tasks to remember that, while the Chairperson gives them authority on matters of procedure, it confers no rights (other than the casting vote) on matters of policy above those possessed by other members.

PRELIMINARY

7. Before any meeting, the Chairperson should study the items on the agenda with the Clerk/Responsible Financial Officer and should in effect ask in respect of each item the following questions:
 - a. What does it mean?
 - b. Is it lawful?
 - c. Do we know enough about it?
 - d. Has any member special knowledge of this problem?
 - e. Is there any member who may have a prejudicial interest?

OUTSIDE INTERFERENCE

Public Disturbances

8. No one is entitled to interrupt or obstruct the proceedings of the Council or its committees. In general it is best to stop an interruption at once before the habit spreads to the rest of the audience; and though they will naturally not wish to be rude, the Chairperson should cut an interrupter short, and if good humour and conciliation fail to produce silence, they may have to warn that they will be turned out if they do it again; if the warning is ignored it should be resolved, without discussion, that the interrupter be excluded and if they fail to leave they should be removed by force. Care should be taken to use no more force than necessary. It is not essential to call the police, but may be necessary.

9. The Chairperson should never argue or allow argument with an interrupter. If the public becomes disorderly it may eventually be necessary to close the meeting or to adjourn to a more private place. It is, however, illegal to decide to exclude the public from any future meeting. The press is in a privileged position in as much as its representatives must so far as possible be given facilities for taking their reports.

Personal and Prejudicial Interests

10. The law requires that where a member has a personal interest in any matter he must disclose the existence and nature of that interest. If the personal interest is also prejudicial, the member should withdraw from the meeting and take no further part in the relevant proceedings or seek to influence those proceedings. The Chairperson should before a meeting consider whether any member (including themselves) may have any such interest, and may draw the individual member's attention to the possibility before it starts. However, ultimately, it is for the member to decide whether or not to disclose any relevant interest. Failure to disclose an interest (personal or prejudicial) can lead to an investigation by the Policy and Resources Committee.
11. The Chairperson must be satisfied that the meeting is lawful. They do not need to have personal knowledge that the proper notices and summonses have been issued, but if complaints are made they must give a ruling based upon the essential justice of the matter. A meeting is not necessarily illegal because someone has not received a notice to which they are entitled, but where an irregularity appears to be intentional or important the meeting should be adjourned until it has been corrected.

Quorum

12. No business can be transacted if no quorum is present. This rule applies not only to cases of physical absence but to cases of disqualification by interest. A situation may therefore sometimes arise where the Council cannot act because it is impossible to obtain a disinterested quorum. In such a case the Chairperson should adjourn the matter until it can be next dealt with. Those members with a prejudicial interest should consider making an application for dispensation to their standards committee where appropriate.

Ultra Vires Proposals

13. The Chairperson should satisfy themselves that any proposal involving expenditure is lawful and should rule any unlawful proposal or amendment out of order. Where there is any doubt, advice should be sought well before the meeting and in time to delete, if necessary, from the agenda. The section 137 power (contained in the Local

Government Act 1972) is not a “long stop” in case of a mistake; expenditure under this heading requires a special resolution, related to the provisions of that section.

A CLEAR ISSUE

14. Every decision of the Council must be made by an affirmative vote of a majority of those present and voting (including where necessary the Chairperson’s second of casting vote). The members must therefore, know exactly what they are being asked to decide and each proposition must be put to them in a form which can be answered by a simple “yes” or “no”. From this there follow certain practical consequences:
 - a. All motions should be affirmative in form; it is never necessary to move that a resolution be rejected;
 - b. Where there is more than one solution to a problem each solution must be separately put to the vote.

The Affirmative Form

15. The most exact method of putting a question to the vote is by the use of the following formula:

“The resolution is as follows

(eg) “That the Clerk’s salary be raised by £5,000 a year.”

The motion is that this resolution be agreed to.”

(Note: a resolution is a proposal of the action intended to be taken; for example “That the Council buy a mower.” A *motion* is the procedural formula by which the Council disposes of business: for example “The motion is that the resolution be amended by” or “The motion is that the Council do now adjourn.”

Separating the Issues

16. In attempting to reach a decision a Council may from time to time be faced with alternative solutions. Some alternatives may be mutually exclusive; others may be matters of detail subsidiary to the principal issue.
17. Where the alternatives are mutually exclusive it may be desirable in the first instance to discuss the resolutions embodying them together until the general trend of opinion is apparent and then to put one of them in the form of an amendment to the other, for instance, if a Council considers that it can afford either a swimming pool or a new playing field but not both, a decision to provide the one in practice excludes

the other. Therefore, the resolution on behalf of each should be discussed together and the issue at this stage may be informally stated thus:

“If the Council is to spend its money would it prefer a swimming pool or a playing field?”

In more formal language the issue is put to the vote by substantive resolution and amendment:

“The resolution is that the swimming pool be provided.” To this the following amendment has been moved:

Leave out the words swimming pool and substitute the words playing field.

The motion is that this amendment be agreed to.

18. A vote on an amendment does not end the matter; it merely decides what shall be discussed next. Thus, in the example, if the amendment is carried, all further discussion of the swimming pool becomes out of order, but the Council has yet to decide whether the major operation shall be carried out at all. This is done by putting the *resolution as amended to the vote. (See also paragraph 35 below.)*

METHOD OF VOTING

19. The rules on the manner in which decisions are peremptory and admit no exceptions. Every decision must be reached by a majority of those voting. Appointments to employments must be decided in the same way as other questions.

COMPLETENESS OF INFORMATION

20. Sensible decisions cannot be reached without reasonably complete information, which it is usually the duty of the Clerk to supply. The Chairperson should before the meeting consider whether enough information is available or likely to be made available, and at the meeting they should make a point of asking a member with special knowledge to give their opinion. If it appears at the meeting that information is still insufficient he should move to adjourn consideration until more is known, and sometimes it may be desirable to frame questions and to instruct the Clerk to obtain the answer by a specified date.

IMPARTIALITY

21. When differences of opinion develop in discussion it is the duty of the Chairperson to give a fair hearing to all points of view including their own, if they have one. It is not their duty as Chairperson to suppress their own convictions nor their privilege to impose their opinions. Experience has shown that the safest and least controversial course is for the Chairperson to call upon speakers for and against a proposal to speak alternatively and themselves to avoid speaking first or last.
22. Some people are better at putting a case than others and the Chairperson ought to allow reasonable latitude to the less eloquent. For this reason mechanical rules of debate limiting, for instance, the time allowed for a speech or the number of times a member may speak, are undesirable, and the Chairperson should have some latitude in applying them, especially in a Council with small membership.

RELEVANCE

General Rule

23. A speech must be directed to the point under discussion and nothing else. This rule is easy to state, but not always easy to apply fairly, because the relevance of what is being said may be understood by the speaker before it is grasped by the listener; whilst the rule should not be made a cover for “barracking from the chair” it is probably true that if Chairpersons enforced it more strictly, business would be much more quickly and efficiently conducted than is often the case and many unnecessary arguments and even some quarrels would be avoided. Bad feeling originates in irrelevancies more often than in any other way. On the other hand, it is sometime advantageous to allow irrelevance in order to “clear the air”. Too harsh suppression can breed ill will and a sense of grievance.

Personalities

24. The Chairperson should do their best to present observations in discussion; the custom whereby the speeches are in a form address to the Chairperson, should only be observed because it forces members to employ an impersonal mode of expression. If a member makes an offensive personal observation, the Chairperson should immediately intervene to seek immediate apology to an offended member.

Methods of Enforcement

25. Where a speech is obviously irrelevant the Chairperson should stop the speaker and invite them to return to the point or sit down. Where the irrelevance is not quite so

obvious the Chairperson may often find it convenient to ask the speaker to explain how his remarks relate to the issue.

Revival of Decided Issues

26. The Chairperson should not allow a matter that has been decided to be reopened at the same meeting. An attempt to “hark back” to a previous agenda item should be firmly ruled out of order as irrelevant to the matter *now* under discussion, even if the member who raises it was not present when the item was considered.

Minutes

27. One of the commonest irrelevances is the practice of attempting to discuss the merits of what is contained in the minutes, on a motion for their signature as a correct record. On such a motion the only issue is whether the words of the minutes accurately record the events at the meeting of which they are a record.

Other Problems

28.

- a. If any substantial issue arises on a matter dealt with in the Minutes, it is better to have a separate agenda item than to discuss it under “Matters Arising”. That heading should be used only for reports of progress and not for new or additional decisions.
- b. Letters received by the Council should not be read out verbatim: this provokes irrelevant discussion on wording and is liable to lead to misunderstanding by the public. On the very rare occasion that the exact text is needed by every Councillor the Clerk should issue copies. Normally it is sufficient to report the main issue in the letter: for example “Mrs Smith of has written asking the Council to get the pile of rubbish removed from outside 48 ... Lane.”

REASONABLE DISPATCH

Intervals

29. It is important that business should be transacted with reasonable speed. Long meetings bot the members and so reduce the level of attentiveness and public spirit, and long intervals between meetings lead to missed opportunities and lack of continuity. A Local Council cannot expect to be consulted regularly by other bodies such as the District Council if it does not answer letters reasonably promptly. For this reason it should meet at least once a month and the Chairperson ought not to hesitate to call Special Meetings in necessary cases; the greater the interval between

regular meeting the more ready the Chairperson should be to call them. The right of Local Councils to be notified of planning applications makes this especially important.

Obstructions at Meetings

30. Deliberate obstruction is rare, but must be firmly dealt with when it occurs. It is difficult to be directly obstructive for long without being irrelevant and therefore deliberate obstruction sometimes takes the form of raising a succession of points of order. In dealing with this type of obstruction it is well to remember that a point is not necessarily a point of order because the person who makes it labels it as such.

Repetition

31. If it is evident that nothing new can be said on either side in a particular discussion, a Chairperson is justified in putting the matter to the vote even though there are still members wishing to speak. Usually, however, the state of affairs is not so clear and in such cases the Chairperson should ask leave of the Council to put the matter to vote.

References

32. All deliberate bodies have a natural tendency to refer questions to someone else (eg and Officer or a Committee) for consideration or report. These are frequently unnecessary because they are often used only when a Council is unwilling to make a final decision.

SOME PROCEDURAL POINTS

Points of Order

33. Points of Order relate to procedure only and take precedence of all other business; it is the duty of the Chairperson to deal with them. If a point relates to the substance of a matter under discussion it is not a point of order and should be ruled out of order by the Chairperson. The person raising the matter of substance in this way should be told to save it for his speech on the business. For instance, if the provision of a swimming pool is being discussed and someone interrupts the speaker by saying "On a point of order, can we afford it?" the interruption should be ruled out of order because this is not a procedural question. It is part of the merits of the business and must therefore be decided by discussion. The person interrupted may of course answer the point when they continue their speech or ignore it as they think appropriate. If however, the interruption has been "On a point of order, have we power to do this?" the Chairperson (in consultation with the Clerk) must give a ruling

the answer is “No”, the Council has no power to act as proposed and the business ought not to be under discussion.

Procedural Resolutions

- 34.** Procedural resolutions should normally be put without discussion. The usual exceptions are resolutions to (a) correct minutes, (b) alter the order of business (c) refer to Committee.

Closure Motions

- 35.** The following are the respective effects of closure resolutions:
- a.** On the passing of a resolution to proceed to *next* business proceedings on the business in hand come to a stop and no decision upon it can be taken.
 - b.** On the passing of a resolution that the *question be now put* the mover is usually entitled to reply before the matter is put to the vote. By custom the Chairperson may refuse to accept such a resolution until he thinks that the matter has been sufficiently debated.
 - c.** A resolution to *adjourn a discussion or a meeting* stops the discussion at the moment it is passed and no decision is taken on the business; therefore the discussion may later be resumed at the point where it was interrupted.

Amendments

- 36.**
- a.** An amendment, which in substance negates the principle resolution, should not be allowed because it is confusing and unnecessary.
 - b.** An amendment should always be put to the vote before the resolution that it seeks to amend.

Any Other Business

- 37.** The summons to a meeting of a Local Council must by law *specify* the business to be transacted; a Local Council cannot legally decide to take any action under the general heading of “any other business” because these words do not specify any item of business. The rule prevents the Council deciding any business which will have either expenditure consequences or lead the Council into a legal situation: for example by making a contract. There is no practical objection to exchanges of information under “any other business” or the giving of a preliminary notification of important business for the next time.

“Urgent” Business

38. The law makes no provision for dealing with “urgent” business. If it is “urgent” only because it was not notified in time to appear on the agenda, it should be left to the next meeting. If it is genuinely “urgent”, that is it was too late for the agenda *and* it will be too late for action if left till the next ordinary meeting an additional meeting should be called *or* the Council should have a regular arrangement for the reference of such matters either to a committee or to the Clerk for action. It is contrary to local government law for the Chairperson or any other single member to take a decision that is binding by the Council.

USE OF THE CHAIRPERSON’S VOTES

39. Save on one occasion the Chairperson has both an ordinary and a casting vote. There is no rule of law which requires them to give their ordinary vote at the same time as the other members are voting and it is obviously undesirable and undignified for them to wait and then say “the voting is 5 to 4 against; I therefore vote in favour which makes it even.”
40. Where there is an equality of votes a Chairperson may be faced with an embarrassing problem. A resolution requires a majority and therefore, since an equality is not majority, they may declare the resolution *not* carried. This course is however, sometimes regarded as irresponsible or lacking in courage; in such circumstances the Chairperson ought to give a casting vote, it at all possible, in such a way that the matter can be considered again; for instance, on a motion to accept a particular tender a vote in favour will conclude the matter, but a vote against will leave the way open for further negotiations or reconsideration.

PRESENCE OF THE PUBLIC AND PRESS

41. In principle, the public (which includes the Press) is entitled to be present at all meetings of the Council and its Committees and ought to be admitted to sub-committees. The Council or a Committee however, may exclude the public for a particular item of business, if it is opinion that such exclusion is reasonable and in the public interest. Where the public and Press have been excluded the *decisions* made in the closed session must be minuted: a record should be kept of who was present at the session: the Press should be told of any decision. Business is ‘confidential’ if its discussion *must* be kept secret: it is ‘special’ and the reasons for secrecy must be stated in any case where the need for secrecy is not obvious.

MALADMINISTRATION

- 42.** Parish and Community Councils are not subject to the jurisdiction of the Local Ombudsman. There is therefore, no outside body that can adjudicate on complaints about the procedures of a Local Council if the law has not been broken. It is however, important for the good name of the Council that complaints be handled properly and fairly. The National Association has therefore published *Legal Topic Note 56 – Code of Practice Handling Complaints*, which recommends a standard and formal procedures to all Councils. In light of the Local Government Act 2000, Councils are recommended to agree, with their Standards Committee, a form of complaint procedure for matters falling outside the jurisdiction of the Policy and Resources Committee.

PUBLIC PARTICIPATION

- 43.** The public cannot, of course, take part in proceedings of the Council, but an increasing number of Councils have created and sustained public interest in their work by arranging for a short period in meetings (20 to 30 minutes) when members of the public are permitted to put questions to the Council or to make observations. Such periods can be either during the meeting (by adjournment) or at its end.

LENGTH OF MEETINGS

- 44.** Experience suggests that a meeting should never be allowed to continue for more than two hours without a break.

STANDING ORDERS

Part II: Standing Orders – Pages 13 – 29

1.	Rules of Debate at Meetings	14
2.	Disorderly Conduct at Meetings	15
3.	Meetings	15
4.	Ordinary Council Meetings	18
5.	Committees	19
6.	Special Meetings of the Council and Committees	20
7.	Vacation of Office by Failure to Attend Meetings	20
8.	Previous Resolutions	21
9.	Voting on Appointments	21
10.	Motions for a Meeting that require written notice to be given to the Proper Officer	21
11.	Motions at a Meeting that do not require Written Notice	22
12.	Handling Confidential or Sensitive Information	23
13.	Draft Minutes	23
14.	Code of Conduct and Dispensations	23
15.	Allegations of Breaches of the Code of Conduct	24
16.	Proper Officer	25
17.	Responsible Financial Officer	26
18.	Accounts and Accounting Statements	26
19.	Estimates/Precepts	26
20.	Matters Affecting Council Employees	27
21.	Requests for Information	28
22.	Relations with Press/Media	28
23.	Restrictions on Councillor Activities	28
24.	Standing Orders Generally	28

HOW TO USE STANDING ORDERS

Standing Orders are the written rules of a Local Council. They are used to confirm a Council's internal organisational, administrative and procurement procedures and procedural matters for meetings.

They are not the same as the policies of a Council but they may refer to them. A Local Council must have Standing Orders for the procurement of contracts. Meetings of full Council, Councillors, the Responsible Financial Officer and Proper Officer are subject to many statutory requirements. A Council should have Standing Orders to confirm those statutory requirements.

A Council should have Standing Orders to control the number, place, quorum, notices and other procedures for Committee Meetings because these are subject to fewer statutory requirements.

Model Standing Orders that are in bold type contain Statutory Requirements. It is recommended that Councils adopt them without changing them. Other Model Standing Orders not in bold are designed to help Councils operate effectively but do not contain statutory requirements so they may be adopted as drafted or amended to suit a Council's needs.

For convenience, the word "Councillor" is used in Model Standing Orders and includes a Non-Councillor with or without voting rights unless otherwise stated.

1. RULES OF DEBATE AT MEETINGS

- a. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairperson at the meeting.
- b. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c. A motion on the agenda that is not moved by its proposer may be treated by the Chairperson of the meeting as withdrawn.
- d. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder at the meeting.
- e. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

- f. If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chairperson of the meeting, is expressed in writing to the Chairperson.
- h. A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder at the meeting.
- i. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chairperson.
- j. Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairperson of the meeting.
- k. One or more amendments may be discussed together if the Chairperson of the meeting considers this expedient but each amendment shall be voted on separately.

2. DISORDERLY CONDUCT AT MEETINGS

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this Standing Order is ignored, the Chairperson of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If person(s) disregard the request of the Chairperson of the meeting to moderate or improve their conduct, any Councillor or the Chairperson of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote with discussion.
- c. If a resolution made under 2(b) above is ignored, the Chairperson of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

- a. Meetings of the Council shall be held at 7.00 pm on the second Tuesday of each month at Rossington Memorial Hall except during summer recess during August and

shall not exceed a period of 2 hours. Additional meetings may be held on dates and times as the Council directs.

- b. Smoking is not permitted at any meeting of the Council.
- c. **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.**
- d. **The minimum three clear days for notice of a meeting to Councillors and the public, does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a Bank Holiday or a day appointed for public thanksgiving or mourning.**
- e. **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at a shorter notice.**
- f. **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.**
- g. Subject to standing order 1(c) above, 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.
- h. The period of time which is at the Chairperson's discretion shall not exceed 20 minutes.
- i. Subject to standing order 3(e) above, 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 5 minutes.
- j. In accordance with standing order 3(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- k. In accordance with standing order 3(g) above, the Chairperson 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 an employee for a written or oral response.

- l. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- m. A person shall raise his hand when requesting to speak.
- n. Any person speaking at a meeting shall address his comments to the Chairperson.
- o. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairperson shall direct the order of speaking.
- p. **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted under the Openness of Local Government Bodies Regulations 2014.**
- q. **The Press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- r. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairperson of the Council may in his absence be done by, to or before the Vice-Chairperson of the Council (if any).**
- s. **The Chairperson, if present, shall preside at a meeting. If the Chairperson is absent from a meeting, the Vice-Chairperson, if present, shall preside. If both the Chairperson and the Vice-Chairperson are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- t. **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors voting rights present and voting.**
- u. **The Chairperson of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
- v. **Unless Standing Orders provide otherwise, voting on any question shall be by a show of hands or, if at least two members so request, by signed ballot. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- w. The minutes of a meeting shall record of the following:
 - i. The time and place of the meeting;

- ii. the names of Councillors present and absent;
 - iii. interests that have been declared by Councillors and Non-Councillors with voting rights;
 - iv. whether a Councillor or Non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation sessions; and
 - vi. the resolution(s) made
- x. Prior to a meeting, a Councillor shall submit 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.
 - y. **The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.**
 - z. **No business may be transacted at a meeting unless at least five members of the total membership of the Council are present and in no case shall the voting of a meeting be less than 5. If a meeting is or becomes inquorate no business shall be transacted.** Any outstanding business of a meeting shall be transacted at a following meeting

4. ANNUAL MEETINGS

- a. **In an election year, the Annual Meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- b. **In a year which is not an Election Year, the Annual Meeting of a Council shall be held on such day in May as the Council may direct.**
- c. **If no other time is fixed, the Annual Meeting of the Council shall take place at 7pm.**
- d. **In addition to the Annual Meeting of the Council, at least three other Ordinary Meetings shall be held in each year on such dates and times as the Council directs.**
- e. **The election of the Chairperson and Vice-Chairperson of the Council shall be the first business completed at the Annual Meeting of the Council.**
- f. **The Chairperson of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until his successor is elected at the next Annual Meeting of the Council.**
- g. **The Vice-Chairperson of the Council, unless he resigns or becomes disqualified,**

shall hold office until immediately after the election of the Chairperson of the Council at the next Annual Meeting of the Council.

- h. In an election year, if the current Chairperson of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairperson has been elected. The current Chairperson shall not have an original vote in respect of the election of the new Chairperson but must give a casting vote in the case of an equality of votes.
- i. In an election year, if the current Chairperson has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairperson has been elected. He may exercise an original vote in respect of the election of the new Chairperson and must give a casting vote in the case of an equality of votes.
- j. Following the election of the Chairperson and Vice-Chairperson of the Council at the Annual Meeting of the Council, the order of business shall be as follows.
 - i. **In an election year, delivery by the Chairperson of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairperson of the Council of acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. receipt of the minutes of the last meeting of a Committee;
 - iv. consideration of the recommendations made by a Committee;
 - v. review of representation on Committees, Sub-Committees, Staff and External Bodies and arrangements for reporting back;
 - vi. review of terms of reference for Committees;
 - vii. appointment of Members to existing Committees;
 - viii. review and Adoption of appropriate Standing Orders and Financial Regulations;

5. COMMITTEES

The Council may at its Annual Meeting appoint Standing Committees and may at any other time appoint such other Committees as are necessary, but subject to any statutory provision in that they:

- a. Shall not appoint any member of a Committee so as to hold office later than at the Annual Meeting.
- b. May appoint persons other than members of the Council to any Committee; and

- c. May at any time dissolve or alter the membership of Committees.
- d. The Chairperson and Vice-Chairperson, ex officio, of the Council shall be members of every Committee appointed by it unless they signify that they do not wish to serve.
- e. Every Committee shall at its first meeting before proceeding to any other business, elect a Chairperson and may elect a Vice-Chairperson who shall hold office until the next Annual General Meeting of the Council and shall settle its programme of meetings for the year.
- f. The quorum of a Committee shall be one-half of its members.

6. SPECIAL MEETINGS OF COUNCIL AND COMMITTEES

- a. **The Chairperson of the Council may convene an Extraordinary Meeting of the Council at any time.**
- b. **If the Chairperson of the Council does not or refuses to call an Extraordinary Meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an Extraordinary Meeting of the Council. The Public Notice giving the time, place and agenda for such a Meeting must be signed by the two Councillors.**
- c. **The Chairperson of a Committee may convene an Extraordinary Meeting of the Committee at any time.**

7. VACATION OF OFFICE BY FAILURE TO ATTEND MEETINGS

- a. If a member of the Council fails throughout a period of six consecutive months from the date of the last attendance to attend any meeting of the Council, they shall, unless the failure was due to some reason approved by the Council before the expiry of that period, cease to be a member of the Council.
- b. Attendance as a member at a meeting of any Committee of the Council, or at a meeting of any joint committee, joint board or other body by whom for the time being any of the functions of the Council are being discharged it shall be deemed to be attendance at a meeting of the authority.
- c. If the Council appoints a Councillor(s) to the management Committee of an organization such as a local charity whose constitution states that one/two representative members shall be appointed by the Council, those persons act as trustees with a duty to the charity when attending charity meetings and in the course

of charity business. They are not and do not act as Council representatives. Attendance at meetings of the charity would be as a charity trustee and not as a representative of the Council.

8. PREVIOUS RESOLUTIONS

- a. A resolution shall not be reversed within six months except either by a Special Motion, which requires written notice by at least two Councillors to be given to the Proper Officer in accordance with Standing Order 10(c) below, or by a motion moved in pursuance of the recommendations of a Committee.

9. VOTING ON APPOINTMENTS

- a. Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chairperson of the meeting.

10. MOTIONS THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER (CLERK TO THE COUNCIL)

- a. A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the Council's Statutory Functions, Powers and Obligations or an issues which specifically affects the Council's area or its residents.
- b. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least three clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c. The Proper Officer may, before including a motion on the agenda received in accordance with Standing Order 8(a) above, correct obvious grammatical or typographical errors in the working of the motion.
- d. If the Proper Officer considers the wording of a motion received in accordance with the Standing Order 8(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least three clear days before the meeting.

- e. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chairperson of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f. Subject to Standing Order 8(e) above the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g. Motions received shall be recorded in a book for that purpose and numbered in order that they are received.
- h. Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

11. MOTIONS THAT DO NOT REQUIRE WRITTEN NOTICE

- a. The following motions may be moved at a meeting without written notice to the Proper Officer;
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular Committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a Committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the Press and Public from a meeting in respect of confidential or sensitive information which is prejudicial to the Public interest;
 - xii. to not hear further from a Councillor or a Member of the Public;
 - xiii. to exclude a Councillor or Member of the Public for Disorderly Conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend a particular Standing Order (unless it reflects mandatory statutory requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close a meeting.

12. HANDLING CONFIDENTIAL OR SENSITIVE INFORMATION

- a. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

13. DRAFT MINUTES

- a. If the draft minutes of a preceding meeting have been served on Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 11(a) above.

14. CODE OF CONDUCT AND DISPENSATIONS

- a. All Councillors with voting rights shall observe the Code of Conduct adopted by the Council.
- b. Unless he has been granted a dispensation, a Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c. **Dispensation request shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- d. A decision as to whether to grant a dispensation shall be made (by the Proper Officer) OR (by a meeting of the Council or Committee for which the dispensation is required) and that decision is final.
- e. A dispensation may be granted in accordance with standing order 14(c) above if having regard to all relevant circumstances the following applies:
 - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting

- transacting the business as to impede the transaction of the business or
- ii. granting the dispensation is in the interests of persons living in the council's area or
 - iii. it is otherwise appropriate to grant a dispensation.

15. ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

- 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 Policy and Resources Committee.
- b. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairperson of the Policy and Resources Committee of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of 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 (including the Proper Officer and the Chairperson of the Policy and Resources Committee shall take the steps set out below, together with other steps considered necessary, 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 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 15(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairperson of the Policy and Resources Committee or otherwise) 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 Policy and Resources Committee 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 full Council.
- iv. references in standing order 15(a) 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.

16. PROPER OFFICER

- a. The Council's Proper Officer shall do the following:
 - i. **plan the agenda for meetings with the Chairperson ensuring all items on the agenda a legal;**
 - ii. **ensure all guest speakers on the agenda are invited through the Proper Officer**
 - iii. **(at least three clear days before a meeting of the Council or Committee serve on Councillors, by delivery or post at their residences, a summons confirming the time, date, venue and the agenda of a meeting).**
OR
(at least three clear days before a meeting of the Council or Committee serve on Councillor a summons, by email, confirming the time, date, venue and agenda provided any such email contains the electronic signature and tile of the Proper Officer);
 - iv. **give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council or Committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);**
 - v. subject to standing orders 16(a) above, include on the agenda all motions in the order received unless a Councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;
 - vi. **convene a meeting of full Council for the election of a new Chairperson of the Council, occasioned by a casual vacancy in his office, in accordance with standing order (?) Above/below.**
 - vii. make available for inspection the minutes of meetings;
 - viii. **receive and retain copies of byelaws made by other local authorities;**
 - ix. receive and retain declarations of acceptance of office from Councillors.
 - x. retain a copy of every councillor's register of interest.
 - xi. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with the subject to the Council's policies and procedures relating to the same;

- xii. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xiii. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
- xiv. arrange for legal deeds to be signed by 2 councillors and witnessed;
- xv. 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;
- xvi. record every Planning Application notified to the Council and the Council's response to the Local Planning Authority;
- xvii. action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

17. RESPONSIBLE FINANCIAL OFFICER

- a. The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

18. ACCOUNTS AND ACCOUNTING STATEMENTS

- a. All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations, which shall be reviewed at least annually.
- b. The Responsible Financial Officer shall supply to each Councillor at the Parish Council Meeting, a statement summarising the Council's receipts and payments for each month and the balances held at the end of each month. This statement should include a month by month comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

19. ESTIMATES/PRECEPTS

- a. **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b. Any Committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

20. MATTERS AFFECTING COUNCIL EMPLOYEES

- a.** If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council or the Committee has decided whether or not the press and public shall be excluded pursuant to standing order 3(d) above.
- b.** Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairperson of the Governance Committee or, in his absence, the Vice-Chairperson of the Governance Committee of any absence occasioned by illness or urgency and that person shall report such absence to the Governance Committee.
- c.** The Chairperson of the Governance Committee or in his absence, the Vice-Chairperson shall upon a resolution conduct a review of the performance and/or appraisal of the Parish Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by Governance Committee.
- d.** Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairperson of Governance Committee, or in his absence, the Vice-Chairperson in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Governance Committee.
- e.** Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Council's most senior employee (or other employees) relates to the Chairperson or Vice-Chairperson of Governance Committee, this shall be communicated to another member of Governance Committee which shall be reported back and progressed by resolution of the Governance Committee.
- f.** Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g.** The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h.** Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

- i. Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(f) and 20(h) above if so justified.

21. REQUESTS FOR INFORMATION

- a. 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 and the Data Protection Act 1998;
- b. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairperson of the Governance Committee. The said committee 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 set out under Standing Order 21(a) above.

22. RELATIONS WITH THE PRESS/MEDIA

- a. 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.
- b. 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.

23. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a. Unless authorised by a resolution, no Councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

24. STANDING ORDERS GENERALLY

- a. All or part of a Standing Order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

- b.** A motion to add to or vary or revoke one or more of the Council's Standing Orders, except one that incorporates mandatory statutory requirements, shall be proposed by a Special Motion, the written notice by at least two Councillors to be given to the Proper Officer in accordance with Standing order 24(a) above.
- c.** The Proper Officer shall provide a copy of the Council's standing orders to a Councillor as soon as possible after he has delivered his acceptance of office form.
- d.** The decision of the Chairperson of a meeting as to the application of Standing Orders at the meeting shall be final.