

Highnam Parish Council

Standing Orders

Revised and Adopted

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Highnam Parish Council

Standing Orders

1. Meetings generally

(Please note that items in bold type contain statutory requirements)

- a Meetings shall be held in the Old School, Highnam, at 7.30pm unless the Council decides otherwise at a previous meeting.
- b **The minimum three clear days for notice of a meeting 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.**

Public Attendance

- c **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.**
- d Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda at the invitation of the Chairman.
- e The period of time designated for public participation at a meeting shall not exceed 15 minutes unless directed by the chairman of the meeting.
- f A member of the public shall not speak for more than 2 minutes.

- g A question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- h A member of the public shall raise his hand when requesting to speak. He shall introduce himself and stand whilst speaking. (except when a person has a disability or is likely to suffer discomfort)]. The chairman of the meeting may at any time permit a person to be seated when speaking.
- i A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- j Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting shall direct the order of speaking.

Press Attendance

- k **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the prior written consent of the Council.**
- l **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.**

Deputy Chairman (Statutory Clauses)

- m **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Deputy Chairman of the Council.**
- n **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Deputy Chairman, if present, shall preside. If both the Chairman and the Deputy Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

Voting at Council Meetings

- o **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**
- p **The chairman 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.**

See standing orders 2(h) and(i) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.

q Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave 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.

Minutes of Council Meetings

- r The minutes of a meeting shall include an accurate 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 session; and
 - vi. the resolutions made.

Quorum, disclosable interests and the validity of votes

s A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.

t No business may be transacted at a meeting unless at least one-third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than three.

u If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

Maximum duration of meetings

v A meeting shall not exceed a period of 2.5 hours.

2. Council 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 the 2nd Tuesday in May or as the council may direct.**

- c In addition to the annual meeting of the council, 3 statutory meetings will be held on 2nd Tuesday of July, November and January. Six additional meetings shall be held in each year on 2nd Tuesday of February, March, April, May, June, September and October, or as directed by Council.**

- d The first business conducted at the annual meeting of the council shall be the election of the Chairman and Deputy Chairman of the Council.**

- e The Chairman 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.**

- f The Deputy Chairman of the Council, unless he 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.**

- g In an election year, if the current Chairman of the Council has not been re-elected as a member of the council, he 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.**

- h In an election year, if the current Chairman of the Council has been re-elected as a member of the council, he 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.**

- i Following the election of the Chairman of the Council and Deputy Chairman of the Council at the annual meeting of the council, the business of the annual meeting shall include:**
 - i. In an election year, delivery by the Chairman 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 Chairman of the Council of his 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.**

3. 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 chairman of 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 chairman 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 and 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 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 chairman of the meeting, is expressed in writing to the chairman.
- 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 and 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 chairman.
- 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 chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:

- i. to speak on an amendment moved by another councillor;
- ii. to move or speak on another amendment if the motion has been amended since he last spoke;
- iii. to make a point of order;
- iv. to give a personal explanation; or
- v. in exercise of a right of reply.

p 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 other irregularity in the proceedings of the meeting he is concerned by.

q A point of order shall be decided by the chairman of the meeting and his decision shall be final.

r When a motion is under debate, no other motion shall be moved except:

- i. to amend the motion;
- ii. to proceed to the next business;
- iii. to adjourn the debate;
- iv. to put the motion to a vote;
- v. to ask a person to be no longer heard or to leave the meeting;
- vi. to refer a motion to a committee or sub-committee for consideration;
- vii. to exclude the public and press;
- viii. to adjourn the meeting; or
- ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

t Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.

4. 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 chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman 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 without discussion.
- c If a resolution made under standing order 2(b) above is ignored, the chairman 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.

5. Committees and sub-committees

- a **Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**
- c **Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

6. Extraordinary meetings of the council and committees and sub-committees

- a **The Chairman of the Council may convene an extraordinary meeting of the council at any time.**

- b **If the Chairman 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.**

7. Previous resolutions

- a A resolution shall not be reversed or revisited within six months except either by a special motion, which requires written notice by at least 5 councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. 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.
- c The accuracy of draft minutes, including any amendment(s) made to them, 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.

9. Code of conduct and dispensations

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.

- b Unless he or she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting if requested by the Chairman, 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 Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting if requested by the Chairman, when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests 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.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision shall be final.

10. Proper Officer

- a) The Proper Officer of the Council is the clerk
- b) The Responsible Financial Officer of the Council is the clerk
- c) **The Proper Officer shall at least three clear days before a meeting of the Council or a sub-committee serve on councillors, by delivery to the councillors' at their residences, or to the Councillor's formally registered email address, a signed summons confirming the time, place and the agenda.**
- d) **Give public notice of the time, place and agenda at least three clear days before a meeting of the council. (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them)**
- e) Facilitate inspection of the minute book by local government electors, publication of this information on the Parish Council official website shall constitute compliance with this requirement.
- f) **Receive and retain copies of byelaws made by other local authorities.**

- g) Include on the agenda all motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming his withdrawal of it.
- h) Retain acceptance of office forms from councillors;
- i) Retain a copy of every councillor's register of interests;
- j) **Convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office.**
- k) Assist with responding to requests made under the Freedom of Information Act 2000 and General Data Protection Regulations 2018, in accordance with and subject to the council's policies and procedures relating to the same.
- l) Receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary.
- m) Manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form.
- n) Arrange for legal deeds to be executed.
- o) Arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations.
- p) Record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose. Recording or publishing such information by electronic means shall constitute compliance.
- q) Facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Parish Council.
- r) Manage access to information about the council via the publication scheme. Lodging such information by publishing it on the Parish Council official website shall constitute compliance.
- s) Notwithstanding those duties and responsibilities, it shall be the duty of the

Clerk to advise Councillors on the content and interpretation of these Standing Orders.

Clerk as Responsible Financial Officer

Accounts and accounting statements

- a) “Proper practices” in these standing orders refer to the most recent version of [Governance and Accountability for Local Councils – a Practitioners’ Guide (England)]
- b) All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council’s financial regulations.
- c) The Responsible Financial Officer shall supply to each councillor on a monthly basis (except August and December) a statement to summarise:
 - i. the council’s payments for each month (or two months if no preceding meeting);
- d) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall:
 - i) Provide each councillor with a statement summarising the council’s receipts and payments for the last year to date for information
 - ii) Provide to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e) The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of June. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

11. County and District Councillors

County and District Councillors who are not Parish Councillors shall be invited to attend meetings and shall be sent copies of agenda, minutes and other relevant documentation. They may be allowed to speak at the discretion of the

12. 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 5 councillors to be given to the Proper Officer.
- 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 chairman of a meeting as to the application of standing orders at the meeting shall be final.

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