

North Hinksey Parish Council

Standing Orders and Chairmanship

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PREFACE

This booklet contains two major sections. Part I is intended as guide for those presiding at meetings of North Hinksey Parish Council and a source to refer to when there is a procedural difficulty during a meeting. Part II provides a complete set of Standing Orders. These Standing Orders should be used for rulings on procedures if there is a dispute.

If the words “the Council or Local Council” are used, it means North Hinksey Parish Council.

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

(In the following pages where appropriate use of the word “he” is used it includes the meaning “she”.)

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PART I - CHAIRMANSHIP

(NOTE: In this part, the word “Chairman” means the person actually presiding at a meeting and “Council” includes “committee”, “sub-committee”, or “advisory committee” 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 North Hinksey Parish Council, (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 a Chairman is to ensure that this purpose is achieved and to this end he must: -
 - (a) protect the Council against *outside interference*;
 - (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 courteous*;
 - (i) co-operate with the officers and councillors.

THE AUTHORITY OF THE CHAIR

Origin

4. The office of Chairman of a local authority is created by statute, which has conferred upon the occupant of the chair a second or casting vote on all occasions but one. The scope of his 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 Chairman’s procedural authority is derived from the Council as a whole and an individual councillor must obey his rulings because they are the rulings of the Council itself. It follows from this, however, that the Chairman cannot overrule the Council and that a councillor who is dissatisfied by the Chairman’s ruling may invite the Council to disagree with it. Such appeals against the chair ought to be very rare.
6. The authority of the Chairman, as such, is limited to matters of procedure and neither increases nor decreases his right (in comparison with other members) to

discuss the merits of a particular case. It is one of his most difficult tasks to remember that, while the Chair gives him 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 Chairman should study the items on the agenda with either the Clerk or any other officers, and should in effect ask in respect of each item the following questions: -

What does it mean?

Is it lawful?

Do we know enough about it?

Has any member special knowledge of this problem?

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 he will naturally not wish to be rude, the Chairman should cut an interrupter short, and if good humour and conciliation fail to produce silence he may have to warn him that he will be turned out if he does it again; if the warning is ignored it should be resolved, without discussion, that the interrupter be excluded, and if the person fails to leave the meeting should be suspended until the person has left. It is not essential to call the police, but maybe necessary.
9. The Chairman 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 inasmuch as its representatives must so far as possible be given facilities for taking their reports.

Disclosure of Interests and Participation at Meetings

10. Although not explicitly required by legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed. Any councillor who declares a pecuniary interest at a meeting must not (subject to being granted a dispensation), participate in any discussion or voting on the matter. The Chairman should before a meeting consider whether any member (including himself) 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 a pecuniary interest can lead to an investigation by the local Standards Board.

Rulings on notices

11. The Chairman must be satisfied that the meeting is lawful. He does not need to have personal knowledge that the proper notices and summonses have been issued, but if complaints are made he 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 he is 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 Chairman should adjourn the matter until it can be next dealt with. Those members with a prejudicial interest (England) or a personal interest requiring withdrawal (Wales) should consider making an application for dispensation to their standards committee where appropriate.

Ultra Vires Proposals

13. The Chairman should satisfy himself 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 it, if necessary, from the agenda. The section 137 power (*contained in the Local Government Act 1972*) allows *Power of local authorities to incur expenditure for certain purposes not otherwise authorised, provided it is for the direct benefit of the local community. 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 Chairman’s second or 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: -

(e.g.) ‘That the Clerk’s salary be raised to £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 ‘new 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 taken 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 Chairman should before the meeting consider whether enough information is available or likely to be made

available, and at the meeting he should make a point of asking a member with special knowledge to give his 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 answers by a specified date.

IMPARTIALITY

21. When differences of opinion develop in discussion it is the duty of the Chairman to give a fair hearing to all points of view including his own, if he has one. It is not his duty as Chairman to suppress his own convictions nor his privilege to impose his opinions. Experience has shown that the safest and least controversial course is for the Chairman to call upon speakers for and against a proposal to speak alternately and himself to avoid speaking first or last.
22. Some people are better at putting a case than others and the Chairman 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 Chairman should have some latitude in applying them, especially in a Council with a 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 Chairmen 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 sometimes 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 Chairman should do his best to prevent observations in discussion; the custom whereby the speeches are in a form addressed to the Chairman, should only be observed because it forces members to employ an impersonal mode of expression. If a member makes an offensive personal observation, the Chairman should immediately intervene to seek an immediate apology to an offended member.

Methods of Enforcement

25. Where a speech is obviously irrelevant the Chairman should stop the speaker and invite him to return to the point or sit down. Where the irrelevance is not quite so obvious the Chairman may often find it convenient to ask the speaker to explain how his remarks relate to the issue.

Revival of Decided Issues

26. The Chairman 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 occasions 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 DESPATCH

Intervals Between Meetings

29. It is important that business should be transacted with reasonable speed. Long meetings bore 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. The Council cannot expect to be consulted regularly by other bodies such as the County or District Council if it does not answer letters reasonably promptly. For this reason it should meet at least once a month, and the Chairman ought not to hesitate to call special meetings in necessary cases; the greater the interval between regular meetings the more ready he should be to call them. The right of the Council to be notified of planning applications makes this especially important.

Obstruction 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. (*For points of order see paragraph 33 below.*)

Repetition

31. If it is evident that nothing new can be said on either side in a particular discussion, a Chairman 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 Chairman should ask leave of the Council to put the matter to the vote.

References

32. All deliberative bodies have a natural tendency to refer questions to someone else (e.g. an 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 over all other business; it is the duty of the Chairman 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 Chairman. 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 he continues his speech or ignore it as he thinks appropriate. If, however, the interruption had been “On a point of order, have we power to do this?” the Chairman (in consultation with the clerk) must give a ruling if the answer is “No”, the Council has no power to act as proposed and the business ought not to be under discussion. (See Standing Order 35(a) below.)

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* (move to a decision) the mover is usually entitled to reply before the matter is put to the

vote. By custom the chairman 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. (See also paragraph 18 above.)

Any Other Business

37. The summons to a meeting of North Hinksey Parish Council must by law specify the business to be transacted; it 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 “A.O.B.” or the giving of a preliminary notification of important business for 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 till 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, the item to be discussed should be notified to the Clerk and agreed with the Chairman of the Council. The item to be included on the supplementary agenda, distributed at the meeting and included after ‘Matters Raised by Members of the Public Only’, and be called ‘Urgent Business Approved by the Chairman of the Parish Council’. The item will be discussed at the meeting provided that a majority of Councillors present AGREE to this course of action.

(It is contrary to local government law for the Chairman or any other single member to take a decision binding the Council).

USE OF CHAIRMAN’S VOTES

39. Save on one occasion (where the Chairman is presiding over the election of a new Chairman as his last act before ceasing to be a member of the Council, in which case he/she only has a casting vote) the Chairman has both an ordinary and a casting vote. There is no rule of law which requires him to give his ordinary vote at the same time as the other members are voting, but he would be expected to do so. It is obviously undesirable and undignified for him 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 Chairman may be faced with an embarrassing problem. A resolution requires a majority and therefore, since an equality is not a majority, he may declare the resolution *not* carried. This course is, however, sometimes regarded as irresponsible or lacking in courage; in such circumstances the Chairman ought to give a casting vote, if 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. If business falls within the confidential classification then it must remain so and any disclosure by councillors of the confidential matter is a breach of the Code of Conduct. If it is not apparent why the business is 'confidential' then the reason should be declared on the agenda paper.

RIGHTS OF THE PUBLIC

42. *The Openness of Local Government Bodies Regulations (the 2014 Regulations) provides that a person may not orally report or comment about a meeting as it takes place if he/she is present at the meeting of a parish council or its committees, but otherwise may:*
- a). *film, photograph or make an audio recording of the meeting, but not any non-participating member of the audience.*
 - b). *use any other means of enabling persons not present to see or hear proceedings at a meeting as it takes place or later;*
 - c). *report or comment on the proceedings in writing during or after the meeting or orally report or comment after the meeting.*

MALADMINISTRATION

43. 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 North Hinksey Parish 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 (NALC) has therefore published *Legal Topic Note 56 – Code of Practice in Handling Complaints*, which recommends a standard and formal procedure 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 Standards Board.

COUNCIL POLICY DOCUMENTS

44. The Parish Council has agreed policies covering the following issues: -
- Code of Conduct
 - Committee Terms of Reference
 - Complaints Handling
 - Equal Opportunities
 - Financial Regulations
 - Health & Safety Issues
 - Recruitment
 - E-mail
 - Social Media
 - Web-site
 - Recording of Council Meetings
 - Climate Change
 - Graffiti
 - Data Protection (Privacy Notice and Privacy Policy)
 - Freedom of Information

PUBLIC PARTICIPATION

45. Members of the public are encouraged and welcome to attend meetings, but have no right to participate in the general proceedings of the Council, unless invited to do so by Council (the Chairman). However, to help create and sustain public interest in the Council's work a 15 minute period (which can in special circumstances be increased, if a majority of councillors agree) will be provided in all full Council and Committee meetings to put relevant questions. The Council will either provide a reply at the meeting or a written response after the meeting.

In order to allow the maximum use of the time allowed for questions, parishioners will be able to ask a maximum of two questions at any meeting, with no extra issues/questions raised within them. Initial questions will be answered in the order in which they have been received by the Council.

Following the asking of all initial questions the remaining time may be allocated to the answering of second question in the same order. It is not guaranteed that there will be sufficient time at the meeting to answer all questions, however written answers will be provided after the meeting to any questions not receiving a verbal answer at the meeting.

Parishioners may ask for clarification about any reply given at the meeting including a request for further detailed information on aspects of that specific topic which have only been revealed through the reply, but may not ask further questions that are not directly related to the reply.

Each question will be allocated a maximum of 5 minutes in total to be asked, and for the provision of any responses including clarification of the original response.

Questions must be notified in writing, (e-mail preferred), to the Chairman of the Council or Parish Clerk, no later than 72 hours before the scheduled start time of the relevant Council or Committee meeting.

It is expected that questions will be asked in a reasonable and polite manner. Where questions contain elements that are considered by the Parish Clerk to be unacceptable then the parishioner will be informed of this fact and be asked to provide an acceptable version of the question in writing no later than 24 hours before the scheduled start time of the relevant Council or Committee meeting.

Examples of unacceptable content include:

- expletives or abusive comments towards individual Councillors or the Council as a whole (which the parishioner would be required to remove);
- statements within the question that include patently incorrect or misleading information being portrayed as a definite fact (which the parishioner would be asked to correct).

It is also expected that in responding to questions Councillors should treat questioners with respect, in line with the Code of Conduct.

Should a delegation wish to discuss a notified matter with the Council, they should appoint a spokesperson to act on their behalf, prior to the meeting.

Outside of formal Council meetings it is possible for members of the public to submit questions to the Parish Clerk or to a relevant Councillor at any time, and answers should subsequently be provided within a reasonable period of time. This practice should be encouraged as a more effective way for Council to provide requested information quickly in most circumstances.

PRESENTATION OF PETITIONS

46. The procedure for presenting PETITIONS to council is as follows:-
- a). The petition must reach the Parish Clerk by 9am on the working day before the Parish Council meeting you wish to address.
 - b). Petitioners should elect a spokesperson, who will have a maximum of 3 minutes to present the petition. Councillors will then be able to ask questions for clarification purposes, which may be fact finding or to establish the accuracy of information contained in or driving the petition.
 - c). Following this the Chairman of the Parish Council will accept the petition and then refer it to the appropriate committee/sub committee or advisory committee to consider its content and make any necessary investigations or contacts to allow for a meaningful judgement of the petitions request.
 - d). Once the relevant committee or sub-committee or advisory committee has completed its investigation, it will report back to council with recommendations via the relevant parent body where appropriate. Details of the date and time of the reporting process will be shown on the agenda papers of the Parish Council meeting and on the Parish Council web-site.
 - e). For clarity purposes the petition should take the following format:
 - i). Heading: Details of what the petition is for or against.

- ii). Information: Details of the information used or reasons given to petitioners which caused them to support the petition.
- iii). The petition to also show the name, address and include the signature of each person on the petition. Only individual signatures will be considered. Single entries purporting to represent more than one person (groups of people) will not be taken into account.

LENGTH OF MEETINGS

- 47. Experience suggests that a meeting should never be allowed to continue for more than two hours without a break. Some organisations embody this idea in a Standing Order but this has not been done here.

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PART II: STANDING ORDERS

(Standing Orders printed in bold type are based on Acts of Parliament and are compulsory)

1. **Meetings** (Parish Council starts at 8.00pm).
 - a) Meetings of North Hinksey Parish Council, (the Council), shall be held in each year on such dates and times and at such place as the Council may direct.
 - b) Smoking is not permitted at any meeting of the Council, or of its committees, sub-committees or advisory committees.

2. **The Statutory Annual Meeting**

- a) In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office and
 - b) In a year which is not an election year the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.
3. (England Only) In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.

4. **Chairman of the Meeting**

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

5. **Proper Officer**

Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he shall be the clerk or nominated officer: -

- To receive declarations of acceptance of office.
- To receive and record notices disclosing interests at meetings.
- To receive and retain plans and documents.
- To sign notices or other documents on behalf of the Council.
- To receive copies of bylaws made by another local authority.
- To certify copies of bylaws made by the Council.
- To sign and issue the summons to attend meetings of the Council.
- To keep proper records for all Council meetings.

6. **Quorum of the Council**

Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.

7. If a quorum of councillors is not present at the start of the meeting then the Chairman must close the meeting. If during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business in question deferred to a future meeting. However, if the next agenda item will result in the council becoming quorate again then the Chairman should move onto the next item on the agenda.
8. For a quorum relating to a committee or sub-committee, please refer to Standing Order 47

9. **Voting**

Members shall vote by show of hands or, if at least two members so request, by signed ballot.

10. **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 must be made before moving on to the next business.**
11. (1) **Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**
 - (2) **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.**
 - (3) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

12. **Order of Business**

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

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

- g) To appoint committees, sub-committees, and their respective Chairman (who must be a NHPC Councillor)
- h) To consider the payment of any subscriptions falling to be paid annually.
- i) To inspect any deeds and trust investments in the custody of the Council as required;

and shall thereafter follow the order set out in the Standing Order 15

13. **At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.**
14. In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order 37 must be read in conjunction with this requirement.
15. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows: -
- a) To read and consider the Minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
 - c) To deal with business expressly required by statute to be done.**
 - d) To dispose of business, if any, remaining from the last meeting.
 - e) To receive such communications as the person presiding may wish to lay before the Council.
 - f) To answer questions from Councillors.
 - g) To receive and consider reports and minutes of committees.
 - h) To receive and consider resolutions or recommendations in the order in which they have been notified.
 - j) To authorise the sealing of documents (the Parish Council does not have a seal) which is usually undertaken on the council's behalf by the District Council).
 - i) If necessary, to authorise the signing of orders for payment.
16. **Urgent Business (See page 10 item 38)**
- A motion to vary the order of business on the ground of urgency:

- a) Should be notified to the Clerk and approved by the Chairman, if there is insufficient time for the item to be put on a revised agenda, distributed at the meeting.

As the item is approved by the Chairman it may be put to the vote without being seconded, and

- b) Shall be put to the vote without discussion.
- c) It should be discussed after ‘Matters Raised by Members of the Public Only’, and be called ‘Urgent Business Approved by the Chairman of the Parish Council’. The item will be discussed at the meeting provided that a majority of Councillors present AGREE to this course of action. This allows, in exceptional circumstances, for urgent business items affecting the Council and which could not reasonably wait until the next Parish Council meeting, to be debated at the end of the ‘Council Matters’ section of the agenda.

17. **Resolutions Moved On Notice**

Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk and the mover has agreed it with the Chairman. Notice of its terms is also to be given in writing and the notice delivered to the Clerk at least two working days before the next meeting of the Council.

- 18. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- 19. If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 20. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 21. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

22. **Resolutions Moved Without Notice**

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

- a) To appoint a Chairman of the meeting.
- b) To correct the Minutes.
- c) To approve the Minutes.

- d) To alter the order of business.
- e) To proceed to the next business.
- f) To close or adjourn the debate.
- g) To refer a matter to a committee.
- h) To appoint a committee or any members thereof.
- i) To adopt a report.
- j) To authorise the sealing of documents.
- k) To amend a motion.
- l) To give leave to withdraw a resolution or amendment.
- m) To extend the time limit for speeches.
- n) To exclude the press and public. (see S/Order 67)
- o) To silence or eject from the meeting a member named for misconduct. (see order 33 below)
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing Order. (see S/Order 81)
- r) To adjourn the meeting.

23. **Questions**

A 15 minute period (which can in special circumstances be increased, if a majority of councillors agree) will be provided in all full Council and Committee meetings for Councillors to put relevant questions.

A maximum of three questions may be asked by any Councillor in a single meeting with no extra issues/questions raised within them, and initial questions from each Councillor will be answered in the order in which they have been received by the Council. If sufficient time is available then second questions, and subsequently third questions may be asked in the same order. Councillors may ask for clarification about any reply given at the meeting including a request for further detailed information on aspects of that specific topic which have only been revealed through the reply, but may not ask further questions that are not directly related to the reply.

Each question will be allocated a maximum of 5 minutes in total to be asked and for the provision of any responses, including clarification of the original response.

Questions must be notified in writing, (e-mail if preferred), to the Chairman of the Council or Parish Clerk, no later than 72 hours before the scheduled start time of the relevant Council or Committee meeting.

It is expected that questions will be asked in a reasonable and polite manner and Councillors need to consider the Code of Conduct in this respect. Where questions contain elements that are considered by the Parish Clerk to be unacceptable then the Councillor will be informed of this fact and be asked to

provide an acceptable version of the question in writing no later than 24 hours before the scheduled start time of the relevant Council or Committee meeting. Examples of unacceptable content include:

- expletives or abusive comments towards individual Councillors or the Council as a whole (which the Councillor would be required to remove);
- statements within the question that include patently incorrect or misleading information being portrayed as a definite fact (which the Councillor would be asked to correct).

It is also expected that in responding to questions Councillors should treat questioners with respect, in line with the Code of Conduct.

24. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

25. Every question shall be put and answered without discussion.

26. A person to whom a question has been put may decline to answer.

27. **Rules of Debate**

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

28. a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- b) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- c) No speech by a mover of a resolution shall exceed five minutes and no other speech shall exceed five minutes except by consent of the Council.
- d). An amendment shall not have the effect of negating the resolution before the Council.
- e). If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- f) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- g) The mover of a resolution or of an amendment shall have a right of reply, not exceeding five minutes.
- h) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.

- i) A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him, which may have been misunderstood.
- j) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- k) When a resolution is under debate no other resolution shall be moved except the following: -
 - i. To amend the resolution.
 - ii. To proceed to the next business.
 - iii. To adjourn the debate.
 - iv. That the question be now put.
 - v. That a member named be not further heard.
 - vi. That a member named leaves the meeting.
 - vii. That the resolution be referred to a committee.
 - viii. To exclude the public and press.
 - ix. To adjourn the meeting.
- 29. A member shall remain seated when speaking unless requested to stand by the Chairman.
- 30. 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. If two or more members wish to speak, the Chairman shall decide who to call upon.
- c) Whenever the Chairman speaks during a debate all other members shall be silent.
- 31. **Closure**

At the end of any speech a member may, without comment, move “that the question be now put” (move to a vote), “that the debate be now adjourned” or “that the Council do now adjourn.” If such motion is seconded, the Chairman shall put the motion but, in the case of a motion “that the question be now put”, only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or

waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

32. **Disorderly Conduct**

- a) **All members must observe the Code of Conduct, which was adopted by the Council on 28th June 2012, a copy of which is annexed to these Standing Orders.**
- b) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute.**
- c) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (b) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. **If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Local Standards Board.**
- d) If either of the motions mentioned in paragraph c is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

33. **Right of Reply**

The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

34. **Alteration of Resolution**

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

35. **Rescission of Previous Resolution**

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

36. **Voting On Appointments**

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

37. **Discussions and Resolutions Affecting Employees of the Council**

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded. (See S/Order No. 67)

38. **Resolutions on Expenditure**

Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance and General Purposes Committee or of another committee after recommendation by the Finance and General Purposes Committee) and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Finance and General Purposes Committee shall report on the financial aspect of the matters).

39. **Expenditure**

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

40. **Sealing of Documents**

- a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- b) Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this Order may arrange for the document to be sealed, on behalf of the Council, any document required by law to be issued under seal.

41. **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 behalf as shown in 41 a, b, and c below. Membership of the Planning Committee, other committees and sub-

committees is decided at the AGM held in May of each year. Between AGM's any newly elected or co-opted members may also apply to be members of the Planning or other committees. Their applications will then be considered by the relevant committee members, who will decide whether to admit them as members.

- a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
 - b) May appoint persons other than members of the Council to any Committee (other than the Finance and General Purposes Committee); and
 - c) May subject to the provisions of S/Order 35 above at any time dissolve or alter the membership of committee.
42. The Chairman and Vice-Chairman of the Council, ex-officio, shall be voting members of every committee.
43. Every committee shall at its first meeting before proceeding to any other business, elect a Vice-Chairman (a NHPC Councillor) who shall hold office until the next Annual Meeting of the council, and shall settle its programme of meetings for the year.
44. **Special Meeting**
- The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee or Council at any time. An additional committee meeting shall also be summoned on the requisition in writing of not less than a quarter of the committee and in the case of a Council meeting, by not less than 4 members of the Council. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
45. **Sub-Committees**
- Every committee may appoint sub-committees for purposes to be specified by the committee.
46. The Chairman and Vice-Chairman of a committee shall be voting members of every sub-committee appointed by it unless they signify that they do not wish to serve.
47. **Standing Orders applying to both Committees and Sub-Committees**
- Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members. All committees/sub-committees must have a minimum membership of four councillors.
48. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

49. **Advisory Committees**

- 1) The Council, committees and sub-committees may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- 2) An advisory committee may make recommendations and give notice thereof to the Council
- 3) An advisory committee may consist wholly of persons who are not members of the Council (or any committee or sub-committee that is its parent body)
- 4) The quorum of an advisory committee shall be one-half of its members.

50. **Terms of Reference for Committees, Sub-Committees and Advisory (sometimes called Working Groups) Committees.**

The terms of reference for all committees etc. are detailed in the policy document 'Terms of Reference for NHPC Committees, Sub-Committees and Advisory Committees (Working Groups)'. If there is any conflict between this document and the Terms of Reference then this document takes precedence.

51. **Representation on Outside Bodies**

Representation of members representing the Council on outside bodies occurs at the AGM, or during the municipal year. If there are more nominations than positions available, then an election will take place and all councillors present are able to vote in the election process.

Voting in Committees and Sub-Committees

52. Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot. Details on restricted voting rights for non-Councillors are included in section 4 of the Terms of Reference for NHPC Committees, Sub-Committees and Advisory Committees.

53. **Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

54. **Presence of Non-Members of Committees at Committee Meetings**

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

55. **Accounts and Financial Statement**

- 1) Except as provided in paragraph (2) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- 2) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the 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 payment with the approval of the Chairman or Vice-Chairman of the Council.

- 3) All payments ratified under sub-paragraph (2) of this Standing Order shall be separately included in the next schedule of payments before the Council.

56. The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of September.

57. **Estimates / Precepts**
 - 1) The council shall approve written estimates for the coming financial year at its meeting before the end of the month of December.
 - 2) Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than the end of October.

58. **Interests (ENGLAND)**
 - a). **If a member has a pecuniary interest as defined by the Localism Act 2011, adopted by the Council on 28th June 2012, then he/she shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**
 - b). **A member who has declared a pecuniary interest he must (unless they have received dispensation from the full council before the item is discussed) withdraw from the room or chamber during consideration of the item to which the interest relates.**
 - c). **However, councillors/co-opted members do have the Right to Speak and Vote after declaring a Pecuniary Interest if they have received dispensation granted by full council to do so under Section 33 of the Localism Act 2011, in force from 1st July 2012.
The dispensation request and reasons for the dispensation must be made in writing to the Parish Clerk who must put the request and the supporting reasons for consideration on the open agenda of a full council meeting before the item in question is discussed.**

59. **The Clerk may be required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**

60. If a candidate for any appointment under the Council is to his knowledge related to any member of the council, 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 a relationship to a member is disclosed, Standing Orders 58 shall apply as appropriate.

61. The Clerk shall make known the purpose of S/Order 60 to every candidate.

62. **Canvassing of and Recommendations By Members**

- 1) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this subparagraph of this Standing Order to every candidate.
- 2) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

63. S/Orders 60 & 62 shall apply to tenders as if the person making the tender were a candidate for an appointment.

64. **Inspection of Documents**

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

65. **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

66. **Unauthorised Activities**

No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council: -

- a) Inspect any lands or premises which the Council has a right or duty to inspect; or
 - b) Issue orders, instructions or directions.
- Unless authorised to do so by the Council or the relevant committee or sub-committee.

67. **Admission of The Public and Press to Meetings**

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

“That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw”

68. The Council shall state the special reason for exclusion.

69. At all meetings of the Council the Chairman may at his discretion and at a convenient time in the transaction of business, allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
70. The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present.
71. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

72. **Dealing With the Press**

All dealings with the press should be channelled via the Parish Clerk, who will then direct the press to the appropriate representative of the Parish Council, namely:

a). General Matters

Chairman, or in the Chairman's absence, the Vice Chairman of the Parish Council.

b). Specific Service Matters

Chairman of the relevant service committee/sub-committee e.g. planning issues to the Chairman of the Planning Committee, Remembrance Day Service to the Chairman of the Remembrance Day Committee. If the Chairman of the relevant committee/sub committee is not available the Clerk will refer the matter to another member of that committee/sub-committee or the Chairman (or in the Chairman's absence, the Vice-Chairman of the Parish Council).

c). Councillor Involvement

If the local or national press contact a member of the Parish Council directly about Council related matters, then that Councillor must follow the procedure referred to above. If a Councillor, against the protocol adopted by this standing order, then makes a statement to the press it should be made clear from the start that any comments etc. are those of the individual (not in their role as a Parish Councillor, nor are they representative of the views of the Parish Council).

Councillors are reminded that any comments made in their name will probably affect their ability to participate in any future debate on the subject, as comments made could fall within the **pecuniary** category as identified in the Council's adopted **Code of Conduct, Para's 16 and 17, Registering and Declaring Interests**.

73. **Confidential Business**

- 1) 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 or the committee or the sub-committee as the case may be.
- 2) Any member in breach of the provisions of paragraph (1) of this Standing Order shall be removed from any committee or sub-committee of the Council

by the Council.

74. **Liaison with County and District Councillors**

A summons and Agenda for each meeting shall be sent, together with an invitation to attend, to the County, Borough, Unitary or District Councillor for the appropriate division or ward.

75. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the division or to the District Councillor for the ward as the case may require.

76. **Planning Applications**

- 1) The Clerk shall, as soon as it is received, put the planning application on the next planning committee agenda.
- 2) The Clerk shall refer every planning application received to the Chairman of the Planning Committee or in the Chairman's absence to the Vice-Chairman within 3 working days.

77. **Financial Matters**

The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

- 1) Such Regulations shall include detailed arrangements for the following:
 - a) the accounting records and systems of internal control;
 - b) the assessment and management of risks faced by the Council;
 - c) the work of the statutory Internal Auditor and the receipt of any reports from the statutory Internal Auditor, the work of the External Auditor and
 - d) any reports from the External Auditor. These shall be required at least annually;
 - e) the financial reporting requirements of members and local electors and
 - f) procurement policies (subject to (2) below) including the setting of values for different procedures where the contract has an *estimated value greater than £5,000*.
- 2) Any proposed contract for the supply of goods, materials, services and the execution of works with an *estimated value in excess of £60,000* shall be procured on the basis of a formal tender as summarised in (3) below.
- 3) Any formal tender process shall comprise the following steps:
 - a) a specification of the goods, materials, services and the execution of works shall be drawn up;
 - b) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
 - c) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
 - d) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.

- 4) The Council, nor any Committee, is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the S/ Orders 62, 63 & 64 regarding improper activity.
- 5) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

{Council is reminded that the European Union Public Sector Procurement Rules are likely to apply to contracts with a value in excess of £140,000 and advice should be sought at this level}

(Note: Some Standing Order **must** be made for contracts for the supply of goods or the execution of works)

78. **Code of Conduct on Complaints**

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

79. **Councillors Right to Speak after Declaring a Pecuniary Interest**

The Parish Council has adopted the requirement of the Localism Act 2011, which requires from 1st July 2012, that any councillor who has declared a

pecuniary interest at a meeting, must **not** participate (or participate further) in any discussion on the matter or any vote or further vote taken; and must withdraw from the room.

However, the requirement not to participate does not apply in the event of a dispensation granted by full council. The dispensation request and reasons must be shown and considered on the open agenda of a full council meeting before the item in question is discussed.

80. **Dispensation Requests**

Councillors/co-opted members have the right to make applications in writing to the Parish Clerk for dispensation under S. 33 of the Localism Act 2011, in force from 1st July 2012. Dispensations have to be approved by full council before the item in question is discussed.

81. **Provision for the holding of Council and Committee meetings remotely**

Council may decide, at any time when legislation allowing them to do so is in place, to hold some or all of its Council and Committee meetings remotely (i.e. through use of video conferencing or a similar system, where meeting attendees do not need to be physically present in the same room), for a specified period, or until such time as a further decision is made to revert to standard meetings.

Such remote meetings must attempt to replicate standard meetings as closely as possible, taking into account the fact that the attendees are not physically present together. Standing Orders relating to the removal of Councillors or Members of the Public resulting from Disorderly Conduct or a Public Disturbance

would be taken to mean removal of online access to the meeting in this context. Standing Orders relating to voting still apply in terms of doing so by a show of hands, however the option of two or more Councillors requesting a signed ballot as an alternative does not apply to remote meetings.

The following requirements also apply to remote meetings:

- Meeting agendas must clearly state that they are being held online, and give detailed instructions on how Councillors and members of the public can access them.
- It must be possible for all attendees to see and hear all Councillors at all times throughout the meeting, and other participants during such time as they are participating in the meeting. Councillors will only be considered as attending the meeting during such time as they are visually present, notwithstanding any technical issues causing the short, temporary loss of access.
- Members of the public in the audience will not be shown visually whilst not participating in the meeting (to avoid them potentially being included in any video recording of a meeting), or be able to speak to the meeting unless invited to do so by the Chair. If this does occur then they will be shown visually for such time as they are participating in the meeting only.
- Other Standing Orders not mentioned elsewhere in this section, relating to the arrangement and notification of meetings, the required quorum, and procedures whilst in the meeting continue to apply.

82. Delegation of authority

The following matters are reserved for decision by full Council, notwithstanding that appropriate Committee(s) may make recommendations thereon for the Council's consideration:

- Setting the annual precept
- Borrowing money
- Approval of the Council's Annual Accounts and completion of the Annual Return
- Making, amending or revoking Standing Orders, Financial Regulations and all other NHPC Policy documents
- Making, amending or revoking bye-laws
- Making of orders under statutory powers
- Prosecution or defence in a court of law

Additional matters as identified by legislation may also require the approval of full Council, and these cannot be delegated to an Officer or any subdivision of the Council (e.g. a Committee or Sub-Committee).

Other matters not included above may be delegated by full Council as they see fit to individuals or bodies as allowed by legislation (primarily to Officers and Committees / Sub-Committees), however full Council may at any time revoke such delegation of authority either completely, or solely for specific matters that they wish to make decisions on.

83. Delegation to the Responsible Financial Officer/Clerk:

The Clerk to the Council shall also be the Responsible Financial Officer (RFO) to the Council and shall be responsible for the Council's accounting procedures in force at any given time. They are specifically authorised to:

- Receive declarations of acceptance of office
- Receive and record members' interests
- Sign notices or other documents on behalf of Council
- Certify copies of bye-laws made by the Council
- Undertake day to day administration of services together with routine inspection and control
- Call any extra-ordinary meetings of the Council or any Committee as necessary having consulted with the Chairman of the Council or Vice-chairman in his absence and/or the Chairman of the appropriate Committee
- Respond immediately to any correspondence requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees

84. Delegation to Committees:

Authority to take decisions on behalf of full Council can be delegated to specific Committees under a remit as agreed by full Council. Any such delegated powers should be noted within one or more of NHPC's Policies, primarily the Terms of Reference for Committees.

85. Delegation of urgent matters:

In the event of any matter arising which requires an urgent decision the Clerk shall consult with the Chairman and Vice-Chairman of the Council and one other Committee Chairman (or in the absence of the Chairman and/or the Vice Chairman their positions being covered by any other Committee Chairman, with a total of three Chairmen required at all times to provide approval), and with the concurrence of those members shall have delegated power to act on behalf of Council in respect of the particular matter then under consideration. When such a matter may incur expenditure on behalf of the Council then any additional requirements detailed within NHPC's Financial Regulations must also be adhered to. The Clerk shall report the action to the Council as soon as practicable thereafter.

86. **Variation, Revocation and Suspension of Standing Orders**

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

87. A motion to permanently add, vary, or revoke one or more of the Council's Standing Orders, not mandatory by law shall be proposed by a special motion, the written notice being properly proposed and seconded. **The**

motion shall not be carried unless two-thirds of the councillors at the meeting of the Council vote in favour of the same.

88. **Standing Orders to be Given to Members**

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