



Shermanbury Parish Council

SHERMANBURY PARISH COUNCIL

STANDING ORDERS (SO's)

1 MEETINGS:

- 1.1 Unless otherwise decided by the Parish Council (PC) meetings of the Council shall be held both in The Peacock Rooms, in the grounds of The Royal Oak, Wineham or in the skittles alley The Bull, Shermanbury commencing at 19.00 hrs.
- 1.2 The Statutory Annual Parish Meeting (a) in an election year shall be held within 14 working days following the day on which the new Councillors elected take office. And (b) in a year other than an election year, the meeting shall be held in between April and May. The agreed date will be circulated to all Councillors by the Clerk and invitations sent to all residents of the Parish – electronically where possible or by post.
- 1.3 Five PC meetings (minimum statutory numbers of meetings are three) shall be held on the last Monday in the months of January, March, July, September and November; plus one other meeting to follow the Parish Annual General Meeting in May.
- 1.4 Any additional or fewer meetings or any changes to the dates of proposed meetings shall be as agreed by the PC and duly notified by the Clerk.
- 1.5 Smoking and Alcohol are not permitted at any PC meeting.

2. CHAIR OF MEETING

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

3. PROPER OFFICER

- 3.1 Where a statute, regulation or order confers functions or duties on the 'proper officer' of the PC, in the following cases, he/she shall be the Clerk:-

- (a) To receive declarations of acceptance of office
- (b) To receive and record notices disclosing pecuniary interests
- (c) To receive and retain plans and documents
- (d) To sign notices or other documents on behalf of the PC
- (e) To receive copies of bylaws made by a District Council
- (f) To sign summonses to attend meetings of the PC
- (g) In any other case the 'proper officer' shall be as nominated by the PC and in default of a nomination, the Clerk.

(h) The Parish Council files are kept electronically on the Clerks/Responsible Persons computer at home. The Clerk/Responsible Person will ensure a weekly backup of electronic files is carried out and stored on an external hard drive/memory stick and locked in the Parish Council's metal filing cabinet. A copy of the Parish Council's files will be passed on a separate backup device for safe keeping to the Vice-Chairman bi-monthly or at the next convenient PC meeting. If the Vice-Chairman is not present, another nominated Councillor will agree to accept the electronic copy of the files.

4. QUORUM

- 4.1 (a) Three members shall constitute a quorum of the PC and
(b) Three members shall constitute a quorum of any committee/sub-committee.
- 4.2 If a quorum is not present for whatsoever reason, then the business not conducted shall be transacted at the next meeting or on such day as the Chair may fix.

5. VOTING

- 5.1 Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- 5.2 If a member so requires the Clerk shall record the names of the members who voted on any issue so as to show whether they voted for or against.
- 5.3 Subject to (a) and (b) below the Chair may give an original vote on any issue put to the vote, and in the case of an equal number of votes may give a casting vote even if he/she gave no original vote. (a) If a person presiding at the annual meeting would have ceased to be a member of the PC but for the statutory provisions which preserve membership of the Chair and Vice-Chair until the end of their term of office he/she may not give an original vote in an election for a new chair. (b) The person presiding must give a casting vote whenever there is an equal number of votes in an election for a new Chair.

6. ORDER OF BUSINESS

- 6.1 In an election year councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of a proper officer and before the Annual meeting commences.
- 6.2 At each Annual Meeting the first business shall be:-
 - (a) To elect a Chair
 - (b) To receive the Chair's declaration of acceptance of office
 - (c) To decide when so to receive if (b) above not received
 - (d) To elect a Vice-chair
 - (e) In the ordinary year of election of the council to fill any vacancies by reason of insufficient nominations
 - (f) To appoint committees
 - (g) To consider payment of any subscriptions falling to be paid annually
 - (h) No person shall be elected Chair or Vice-chair of the PC or Chair of a committee for more than six years in succession
 - (i) And shall thereafter follow the order set out in SO's
- 6.3 At every meeting other than the Annual Meeting the first business shall be to appoint a Chair if the Chair and the Vice-chair be absent.
- 6.4 In every year not later than the meeting at which financial estimates for next year are settled the PC shall review the pay and conditions of service of existing employees.

- 6.5 Unless otherwise decided by the PC on the grounds of urgency the continuing order of business shall be: -
- (a) To read and consider the Minutes, provided that a copy has been circulated to each member not later than the day of the 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 PC
 - (f) To answer questions
 - (g) To receive and consider reports and Minutes from committee(s)
 - (h) To have access to copies of all correspondence sent on behalf of the PC by the Clerk and since the last PC meeting
 - (i) To receive and consider reports from council officers
 - (j) To authorise the sealing of documents
 - (k) To authorise the signing of orders for payment
 - (l) To consider resolutions/recommendations in order of receipt
 - (m) To consider any other business specified on the agenda
- 6.6 A motion to vary the order of business on the ground of urgency may be proposed by the Chair or by any member and, if proposed by the Chair, may be put to the vote without being seconded. Any such motion shall be put to the vote without discussion.

7. RESOLUTIONS MOVED ON NOTICE

- 7.1 Except as provided by these SO's, no resolution may be moved unless the business to which it relates is on the Agenda before the PC or the mover has given the Clerk three days clear notice before the next meeting all such notices to be in writing.
- 7.2 The Clerk shall insert in the summons for every meeting all notices of motion properly given in the order in which they were received. A member may withdraw a motion at any juncture by signifying his intention to the Clerk or the Chair.
- 7.3 If a resolution specified in the summons is not moved either by the proposer or by any other member it shall be treated as withdrawn and shall not be moved without fresh notice.
- 7.4 Every resolution shall be relevant to some question over which the PC has power or which affects its area.

8. RESOLUTIONS MOVED WITHOUT NOTICE

- 8.1 The following matters may be moved without notice:-
- (a) To appoint a Chair of the meeting
 - (b) To correct the Minutes
 - (c) To approve the Minutes
 - (d) To alter the order of business
 - (e) To proceed with 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 member 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 an amendment
- (m) To exclude the public
- (n) To silence or eject from the meeting a member named for misconduct
- (o) To invite a member having an interest in the subject matter to remain

- (p) To give the consent of the PC where such consent is required by these SO's
- (q) To suspend any SO's
- (r) To adjourn the meeting

9. QUESTIONS

- 9.1 A member may ask the Chair or the Clerk any question concerning the business of the PC, provided notice of the question has been given before the meeting begins.
- 9.2 No question not connected with the business under discussion shall be asked except during the part of the meeting set aside for questions.
- 9.3 Every question shall be put and answered without discussion.
- 9.4 A person to whom a question has been put may decline to answer.

10. RULES OF DEBATE

- 10.1 No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chair.
- 10.2 A member shall direct his comments to the question under discussion or to a personal explanation (i.e. confined to some material part of a former speech by him/her, which may have been misunderstood) or to a point of order.
- 10.3 No comment by a mover of a resolution shall exceed five minutes, and no other speech shall exceed three minutes except by consent of the PC.
- 10.4 An amendment shall be either :-
 - (a) To leave out words
 - (b) To leave out words and insert others
 - (c) To insert words
- 10.5 An amendment shall not have the effect of negating the motion before the PC
- 10.6 A member may rise to make a point of order or a personal explanation (see 4 above). A member rising for these purposes shall be heard forthwith.
- 10.7 A motion or amendment may be withdrawn by the proposer with the consent of the PC, which shall be signified without discussion.
- 10.8 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.
- 10.9 Members shall at all times address the Chair.
- 10.10 The Chair shall call upon members to speak in such order, as he/she considers appropriate.

11. DISORDERLY CONDUCT

- 11.1 No member shall at the meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the PC or bring it into contempt or ridicule.
- 11.2 If, in the opinion of the Chair a member has broken the provisions of 11.1 above, the Chair shall express the opinion to the PC. Thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting. If the motion is seconded, it shall be put to the vote forthwith and without discussion.

12. VOTING ON APPOINTMENTS/CO-OPTIONS

- 12.1 Where more than two persons have been nominated for any position to be filled by the PC the person securing the largest number of votes shall be appointed.

13. DISCUSSIONS AFFECTING EMPLOYEES OF THE PC

- 13.1 If at a meeting there arises a question relating to the appointment, conduct, promotion dismissal, salary or conditions of service, of any person employed by the PC, it shall not be considered until the PC has decided whether or not the public shall be excluded.

14. EXPENDITURE AND EXPENSES

- 14.1 All cheques shall be signed by any two of three Councillors who are authorised bank signatories.
- 14.2 The Chair shall be entitled to a reimbursement of all costs and expenses directly associated with his/her office and undertaken exclusively in the course of his/her duty. This includes an allowance for telephone calls (not hire/rental); a mileage allowance in accordance with engine capacity and with reference to the recommendations (for the time being) of the District Auditor. Expressly excluded from such expenses unless otherwise agreed upon by the PC are subsistence and accommodation. Expenses do not arise in respect of undertaking any duty or the attendance at any PC meeting or any other meeting within the parish boundary.

15. SEALING OF DOCUMENTS

- 15.1 A document shall not be sealed on behalf of the PC unless it has been authorised by a resolution.
- 15.2 The Chair and any two members of the PC may seal, on behalf of the PC, any document required by law to be issued under seal.

16. COMMITTEES AND SUB-COMMITTEES

- 16.1 Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote
- 16.2 The PC may appoint standing committees or other committees as it deems appropriate subject to the following statutory provisions:-
 - (a) Shall not appoint any member of a committee so as to hold office later than the next Annual meeting

(b) May appoint person(s) other than member(s) of the PC. Such person(s) not however to have a vote and

(c) May dissolve or alter the membership of a committee at any time

- 16.3 The PC Chair and Vice-chair shall be members of every committee by right
- 16.4 Every committee shall at its first meeting elect a chair and may vote a vice-chair who shall each hold office until the next Annual meeting of the PC
- 16.5 The Chair of a committee may summon members to meet as is deemed appropriate for the purpose for which it was formed.
- 16.6 The formatting of meetings shall follow that of the PC meetings with minutes being taken of decisions and recommendations.
- 16.7 Except where ordered by the PC the quorum of a committee or subcommittee shall be one-third of its members but in any event not less than three.
- 16.8 Committees shall be Executive Committees or Non-Executive Committees. The former is empowered to take decisions within its remit, the latter must report back to the PC for its decisions to be ratified.

17. ADVISORY COMMITTEES

- 17.1 There may be advisory committees, whose composition and terms of reference shall be determined by the PC.
- 17.2 An advisory committee may make recommendations and give notice thereof to the PC.
- 17.3 An advisory committee may consist wholly or partially of persons who are not members of the PC.

18. ACCOUNTS AND FINANCIAL STATEMENTS

- 18.1 Except as provided in 18.2, all financial claims shall be laid before the PC for authorisation.
- 18.2 Where it is necessary to make payment before it has been authorised by the PC, the Clerk shall certify such payment as to its correctness and urgency. Such payment shall then be authorised by the Chair or Vice-chair of the PC.
- 18.3 All payments ratified in the manner prescribed in 18.2. Above shall be separately included in the next schedule of payments laid before the PC.
- 18.4 The Clerk shall supply to each member and within two months after the end of the financial year a statement of receipts and payments together with a balance sheet.
- 18.5 The PC shall approve its budget for the coming financial year at its meeting in the month of November.
- 18.6 Committees or sub-committees seeking a budget must do so through the full PC.

19. INTERESTS

- 19.1 If any member has any pecuniary interests, direct or indirect, within the meaning of sections 94-95 of the Local Government Act 1972, in any contract, proposed contract or other matter he/she, while it is under consideration by the PC, must withdraw from the meeting. He/she may remain if the interest is as described in section 97(b); or if the disability imposed via the relevant act has been removed by the District Council; or the PC invite him/her to remain; or if the contract, proposed contract or other matter is under consideration as part of a report of a committee and is not itself the subject of debate.
- 19.2 The Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any member or officer of a pecuniary interest. The book shall be open to inspection by any member at any reasonable hour of the day.
- 19.3 If any member has a non-pecuniary interest within the ambit of the National Code of Local Government Conduct he/she, having declared it, withdraw from the
- meeting unless the PC invite him/her to remain. Any such member so remaining shall not participate in any debate on the matter in which he/she has a non-pecuniary interest.
- 19.4 If a candidate for any appointment under the PC is to his/her knowledge related to any member of the holder of any office under the PC, he/she and the person to whom the candidate is related shall disclose the relationship to the Clerk in writing. Failure in this regard shall leave the candidate open to instant dismissal if appointed. The Clerk shall report to the PC where a relationship as described exists.
- 19.5 Canvassing of members, directly or indirectly for any appointment under the PC shall disqualify the candidate for such an appointment.
- 19.6 A member of the PC shall not solicit for any appointment but may give a written testimonial of a candidate's ability, experience or character.
- 19.7 SO's 19.5 and 19.6 above shall equally apply to tenders as if the person/organisation tendering were a candidate for appointment.

20. INSPECTION OF DOCUMENTS

- 20.1 A member may for the purposes of his/her duty (but not otherwise), inspect any document in the possession of the PC and if copies are available shall, upon request, be supplied for like purpose with a copy.
- 20.2 All Minutes kept by the PC and by any committee shall be open for inspection by any member of the PC and any member of the public. Minutes of PC proceedings shall be kept by the Parish Clerk, unless another venue is agreed upon.

21. UNAUTHORISED ACTIVITIES

- 21.1 No member of the PC shall in the name of or on behalf of the PC inspect any lands or premises that the PC has a right or duty to inspect or issue orders unless authorised to do so by the PC. Nor shall any member issue or deal with any correspondence on the business of the PC except through the Clerk or Chair.

22. ADMISSION TO MEETINGS

- 22.1 The Public and Press shall be admitted to all meetings of the PC and its committees, they may however, be temporarily excluded by means of the following resolution viz. "That in view of the (special/confidential) nature of the business about to be transacted, it is advisable in the public interest that the Public/Press be temporarily excluded and they are instructed to withdraw".
- 22.2 If a member of the Public interrupts the proceedings at any meeting, the Chair may, after warning, order that he/she be removed from the meeting room.
- 22.3 All meetings of the PC and its committees must be notified to the public by placing on the PC Notice Boards at least three clear days in advance of the meeting the date, time, and place of the meeting, together with the agenda.
- 22.4 Any member of the public wishing to attend a committee meeting must notify the Parish Clerk giving two clear days' notice before the meeting.
- 22.5 Any committee meeting which deals with confidential matters (e.g. finance committee) to which members of the public are to be excluded must state on the notice given under 22.3 that the committee meeting is not open to the public.

23. CONFIDENTIAL BUSINESS

- 23.1 No member of the PC or of any of its committees shall disclose to any person who is not a member of the PC, any business declared to be confidential by the PC. Any breach of this SO will lead to the removal from any committee or sub-committee that the member serves. Additional action may follow subject to the views of the PC and the perceived seriousness of the breach.

24. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

- 24.1 A notice of meetings shall be sent together with an invitation to attend to the County Councillor for the division and to the District Councillor(s) for the Ward. The invitation may, at the discretion of the Chair, be extended.

LENGTH OF MEETING

- 25.1 No meeting shall continue for more than two hours without a break unless there is a majority vote in favour of exceeding this period.

26. PLANNING APPLICATIONS

- 26.1 The Clerk shall expeditiously refer every planning application to the planning committee (3 or more members) and call a meeting for discussion, enabling the Clerk to formally advise the planning authority of the PC's decision.
- 26.2 No decision made by the PC shall be revoked or altered without the consent of the majority of the said PC.
- 26.3 Applications exceeding the provision of three residential units or any commercial application shall be decided by the full PC, by means of a special meeting if needs be.

27. CODE OF CONDUCT ON COMPLAINTS

27.1 The PC shall deal with complaints of maladministration allegedly committed by the PC or by any employee or member of the PC in a manner contained in their adopted policies document Code of Practice for Handling Complaints from the Public.

28. VARIATION, REVOCATION AND SUSPENSE OF SO's

28.1 Any or every part of the SO's except those imposed by statute may be suspended by resolution in relation to any specific item of business.

28.2 A resolution to permanently add, vary or revoke a SO shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the PC.

29. SO's ON CONTRACTS

29.1 Where it is intended to enter into a contract exceeding £500 (five hundred pounds) in value for the supply of goods, materials or execution of works or services, the Clerk shall invite tenders from at least three firms and give at least three weeks public notice of such intentions in the same manner as a public notice of a PC meeting.

30. STANDING ORDERS GIVEN TO MEMBERS

30.1 A copy of these SO's shall be given to each (new) member by the Clerk upon delivery to him/her of the member's Declaration of Acceptance of office.

31. GOOD COUNCILLORS GUIDE

31.1 These Standing Orders should be read in conjunction with the 'Good Councillors Guide' .