

# LIDGATE PARISH COUNCIL

## Standing Orders

### 1. MEETINGS

- a) **Meetings of the council will be held in the Village Hall, Lidgate on the second Thursday in January, March, May, July, September and November unless otherwise notified. Dates of meetings will be agreed at the meeting of the Parish Council in November but can be changed by agreement at a full council meeting. Meetings will commence at 7.30p.m.** No meeting shall last more than 2 hours and any business not transacted by that time shall be held over to the next meeting. However, by agreement the meeting can be extended for a further 15 minutes.
- b) **A public forum will be held at the start of the meeting** at which members of the public are invited to speak to councillors. Only items on the agenda should be discussed. If a member of the public raises an issue that is not on the agenda, this should not be discussed until the next meeting. The public forum is an opportunity for councillors to listen to the views of the electorate, with the understanding that any decisions can only be made during the meeting.
- c) **The statutory Annual Parish Council Meeting shall normally be held in the third week in May. In an election year, it shall be held in the week following the election.**
- d) The Annual Parish Meeting shall normally be held in May.
- e) The chairman of the council or a committee may call an additional meeting of the council/committee at any time. An extraordinary meeting may also be called at the request of 3 councillors. A minimum of 3 clear days' notice should be given and the reason for the meeting clearly stated.
- f) Before the Annual Meeting following an election, councillors should execute Declarations of Acceptance of Office in each other's presence and in the presence of the clerk.

### 2. THE CHAIRMAN

- a) At every meeting, other than the Annual Parish Meeting the first business shall be to appoint a chairman if the chairman and vice-chairman are absent.
- b) **The person presiding at a meeting may exercise all the powers and duties of the chairman in relation to the conduct of the meeting.**

### 3. THE PROPER OFFICER

The Proper Officer of the council is the clerk. The clerk shall, amongst other duties:

- a) Receive declarations of acceptance of office.
- b) Receive and record notices disclosing interests at meetings.
- c) Receive and retain plans and documents.
- d) Sign notices or other documents on behalf of the council.
- e) Sign summonses to attend meetings of the council.
- f) Invite speakers to meetings.
- g) Keep proper records of all council meetings.
- h) Deal with minor matters and items for the next agenda between meetings. Minor matters are defined as those which are delegated to the clerk in his/her contract, standing orders (see appendix 1 – list of functions delegated to the clerk), the Financial Standing Orders and in approved minutes.
- i) The clerk is authorised to deal with minor emergencies.
- j) The clerk is authorised to deal with non-controversial planning applications subject to discussion with 3 councillors including either the chairman or vice chairman. A consensus of all three councillors must be reached.
- k) To advise the council on legal issues.
- l) Other duties and responsibilities of the clerk are as laid down in the conditions of service contract and job description. Notwithstanding those duties and responsibilities, it shall be the duty of the clerk to advise members on the content and interpretation of these standing orders.

### 4. QUORUM OF THE COUNCIL

- a) **Three Members, or a third, whichever is greater, shall constitute a quorum at meetings of the council.**

- b) In the event of a bare quorum being present, those present can agree to postpone all but the most urgent business to the next meeting.
- c) If a quorum is not present or 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 business not transacted shall be transacted at the next meeting or on such other day as the chairman may fix.

## 5. VOTING

- a) Members shall vote by show of hands or, if at least two members so request prior to voting, by signed ballot.
- b) The clerk shall show in the minutes the way in which councillors voted if asked to do so.**
- c) The chairman may give an original vote on any matter and, if the vote is tied, may give a casting vote, whether or not an original vote was given.**
- d) 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. However, he must give a casting vote in the event of a tie for the new chairman.

## 6. AGENDAS

- a) Any councillor wishing to have a subject put on to the agenda should pass the relevant information to the clerk at least 10 days before the meeting.
- b) At every meeting, other than the Annual Parish Meeting, the first business shall be to appoint a chairman if the chairman and vice-chairman are absent and to receive such declarations of acceptance of office as are required by law.
- c) After the first business has been completed, the order of business, unless the council has otherwise decided on the grounds of urgency, shall be as follows:
  - I. To read and consider the minutes.
  - I. After consideration to approve and sign the minutes by the person presiding. Any corrections must be agreed and initialled by the chairman. **Once agreed and signed, the minutes are seen as a correct record of the meeting.**
  - II. **To deal with business expressly required by statute to be done.**
  - III. To dispose of business, if any, remaining from the last meeting.
  - IV. **To authorise the signing by two members of orders for payment.**
  - V. To receive and consider reports from the Responsible Financial Officer.
  - VI. To consider planning applications.
  - VII. To receive and consider reports from outside bodies.
  - VIII. To receive such communications as the person presiding may wish to lay before the council.

## 7. ANNUAL PARISH COUNCIL MEETING

- a) **At each Annual Parish Meeting in May the order of business shall be:**
- b) To elect a chairman of the council**
- c) To receive the chairman's declaration of acceptance of office.**
- d) To fill any vacancies on the council, if there have been insufficient nominations in an election year.**
- e) To decide when to receive declarations of acceptance of office not already received as provided by law.**
- f) To elect a vice-chairman.
- g) To appoint/confirm representatives to outside bodies.
- h) To appoint committees.
- i) To review the pay and conditions of service of any employees in the light of current employment legislation.

## 8. ORDER OF BUSINESS

Unless the council decides otherwise, the order of business shall be as presented in the agenda, which will have been drawn up by the clerk in consultation with the chairman. A motion to vary the order of business may be proposed by the chairman and, if proposed by the chairman, may be put to the vote without being seconded. If a councillor requests a variation in the order of business, it should be seconded before being put to the vote.

## **9. 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. Every resolution or recommendation of the council shall be relevant to some subject over which the council has power or which directly affects the parish.

## **10. RULES OF DEBATE**

- a) No discussion shall take place on the minutes of previous meetings except upon their accuracy.
- b) All remarks shall be addressed to the chairman.
- c) A member shall direct his speech to the question under discussion or to a personal explanation or to a point of order.
- d) No speech shall exceed 5 minutes except by consent of the council.
- e) A member may ask the chairman of the council or the clerk any question concerning the business of the council, provided 8 clear days notice of the question has been given to the person to whom it is addressed.
- f) Questions unconnected with the business under discussion shall not be asked except during the part of the meeting set aside for questions.
- g) A person to whom a question has been put may decline to answer.
- h) A representative of the local constabulary shall be allowed to speak at council meetings at the discretion of the chairman.

## **10. CONDUCT**

- a) All members must observe the Code of Conduct 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) In the event of a disruption by anyone present a warning should be given by the chairman. If the disruption continues, then the chairman or any councillor may request that the person/s be removed from the meeting under the Public Bodies Admission to Meetings Act 1960. The matter would be put to the vote by the council, and the meeting ceases until the disruptive person/s leaves the room.
- d) 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 Standards Board (England).

## **11. RESCISSION OF PREVIOUS RESOLUTION**

A decision of the council shall not be reversed within 6 months except by a vote of five members following a specific proposal included on the agenda.

## **12. DISCUSSION AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL**

Any questions relating to the appointment, conduct, dismissal, salary or conditions of service of any member of the council or anyone employed by the council shall not be discussed until it has been decided whether or not the public should be excluded and the subject deemed "confidential".

## **14. CONFIDENTIAL BUSINESS**

Any matters declared to be "confidential" must not be discussed outside the council.

## **15. DISTRICT/COUNTY COUNCILLORS**

District and county councillors who are not also parish councillors shall be invited to attend meetings and shall be sent copies of agendas, minutes and other relevant documentation. They may be allowed to speak at the discretion of the chairman.

## **16. INTERESTS**

- a) **All members must sign the Declaration of Acceptance of Office and the Code of Conduct before becoming a councillor.**
- b) **If a member has a personal interest as defined by the Code of Conduct adopted by the council then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of the interest as required.**

- c) **If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the meeting room during consideration of the item to which the interest relates.**
- d) **The clerk shall record particulars of any member's interests. This record shall be available for inspection by other members at all reasonable times.**
- e) If a candidate for any appointment under the council is to his knowledge related to any member of or the holder of any office under the council, he and the person to whom he is related shall disclose the relationship in writing to the clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The clerk shall report to the council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed, standing orders 16a and 16b shall apply as appropriate.

## 17. COMMITTEES

- a) 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.
- b) The council may at any time dissolve or alter the membership of committee.
- c) The chairman and vice-chairman, ex-officio, shall be voting members of every committee.
- d) Every committee shall at its first meeting before proceeding to any other business, elect a chairman and may elect a vice-chairman who shall hold office until the next Annual Meeting of the council.
- e) The chairman of a committee or the chairman of the council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- f) The quorum of a committee shall be three members.
- g) The standing orders on rules of debate shall apply to committee meetings.
- h) 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.
- i) **The chairman of a committee shall in the case of an equality of votes have a second or casting vote.**

## 18. 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.

## 19. INSPECTION OF DOCUMENTS

**All minutes kept by the council shall be open for inspection by any member of the council.** Parishioners may view the minutes by approaching a councillor or the clerk. (This does not limit any person's rights under the Freedom of Information Act.)

## 20. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- a) **The public and press shall be admitted to all meetings of the council (Public Bodies Admission to Meetings Act 1960). However, they may be temporarily excluded by means of the following resolution: "*That in view of the (confidential) nature of the business about to be transacted, it is advisable that the public and press be temporarily excluded and they are instructed to withdraw.*"**

The Openness of Local Government Bodies Regulations 2014 Act provides that a person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may:

- a) film, photograph or make an audio recording of a meeting;
- b) use any other means for 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 a meeting or orally report or comment after the meeting.

**21. ACCOUNTS AND FINANCIAL STATEMENTS**

The council shall abide by the Financial Standing Orders which were adopted by the council on 1st May 2014. These shall be subject to regular review, at least once every four years.

**22. PLANNING APPLICATIONS**

- a) The clerk shall record the name of the applicant, the place to which it relates, and a summary of the nature of the application.
- b) The clerk shall refer every planning application received to the council at the next meeting. Where a planning application is received which requires consideration before the next scheduled meeting of the council, the clerk shall refer it to the planning committee. Notice of such meetings will be given at least 3 working days in advance.
- c) The planning committee has been delegated to respond on behalf of the council to any applications which are received between full council meetings.

**23. RESIGNATION OF COUNCILLORS**

A member, who for whatever reason wishes to tender their resignation, shall do so in writing addressed to the chairman with a copy to the clerk. The resignation will be reported by the clerk at the next meeting of the council. Acceptance of resignations, or otherwise, shall not be the subject of debate within the council. The resignation of the chairman should be given to the clerk

**24. CO-OPTION OF MEMBERS**

- a) Where a vacancy occurs on the council, if there are not at least 10 signatures of electors requesting a poll, then the council may co-opt new members. The vacancies must be advertised on local notice boards for a minimum of 14 days.
- b) Candidates shall provide a short account in writing of who they are and what they stand for to be presented at the next meeting which they will be invited to attend.
- c) If there are more candidates than vacancies, then a vote of the council will take place by show of hands or by secret ballot if at least two members of the council have so requested. The successful candidate must by law have received more than 50% of the votes. If necessary, more than one vote will take place with the candidate receiving the lowest votes dropping out at each stage.

**25. SUSPENSION OF STANDING ORDERS**

- a) A copy of these standing orders shall be given to each member by the clerk upon delivery to her of the member’s declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the council. This copy remains the property of Risby Parish Council and must be returned to the clerk when a member ceases to be a councillor
- b) Any or every part of the standing orders except those printed in **bold type** may be suspended by the council at any time and for any period of time by resolution.
- c) Resolutions to add, vary or revoke a standing order must be notified on the agenda.

**26. STANDING ORDERS**

Standing orders shall be reviewed annually at the Annual Parish Council Meeting in May.

**27. SMOKING**

Smoking shall not be permitted during meetings.

**28. INTERPRETATION**

In these standing orders words importing one gender shall include all genders and the singular includes the plural and vice versa.

These Standing orders were reviewed by Lidgate Parish Council at the meeting on 9<sup>th</sup> March 2017.

Signed: .....(Chairman) Date: .....