



# **ARDLEIGH PARISH COUNCIL**

**Standing Orders**  
**Approved 10/08/2020**  
**Minute 20/138**

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# 1 Meetings

- a **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**

- b A meeting of a local authority is not limited to a meeting of persons all of whom, or any of whom, are present in the same place and any reference to a “place” where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

LAPCP Regulations 2020 Part 2 Reg 5 (1)

Meetings of the Council shall be held at The Village Hall Ardleigh at 7.30pm on the second Monday of the month, unless the Council decides otherwise at a previous meeting.

- c **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**

- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public’s exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public’s exclusion.**

Member and public access to documents and remote access of public and press to a local authority meeting to enable them to attend or participate in that meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.

LAPCP Regulations 2020 Part 2 Reg 6(b) (c)

A meeting being “open to the public” include access to the meeting through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person; LAPCP Regulations 2020 Part 2 Reg 13(a)

Being “present” at a meeting include access through remote means mentioned in paragraph (a) above.” LAPCP Regulations 2020 Part 2 Reg 13(b)

- e Subject to standing order 1(d) above, members of the public are permitted, when invited by the Chairman, to make representations, answer questions and give evidence in respect of any item of

business included in the agenda.

- f Public Forum will be allocated time of 15 mins during the early part of the meeting, but if this is not required business will commence at 7.30 p.m. If business is not concluded by 9.45 p.m. remaining items will be prioritised by the Chairman to enable the meeting to conclude no later than 10.00 p.m. (Clause amended 2016.)
- g In accordance with standing order 1(e) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- h In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j Any person speaking at a meeting shall address his comments to the Chairman.
- k Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- l Subject to standing order 3(s), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.

**Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means must be notified to the Council** prior to the recording starting. (Clause amended 2016.)

A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.

- m **In accordance with standing order 1(d) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- n **Subject to standing orders, which indicate otherwise, anything authorised or required to be**

done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.

- o **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
  
- p The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
  
- q **Subject to standing order 1 (x), all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
  
- r **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he/she gave an original vote.**  
*(See also Standing Orders 2 (i) and (j))*
  
- s **Unless standing orders provide otherwise, voting on any question shall be by a show of hands** or, members to verbally announce their vote each in turn, or, pressing a button to record their vote. LAPCP Regulations 2020 Part 2 Reg 6(a)  
**At the request of a Councillor, the voting on any question shall be recorded, so as to show whether each Councillor present and voting gave his or her vote for or against that question.**  
Such a request shall be made before moving on to the next item of business on the agenda.
  
- t The minutes of a meeting shall include an accurate record of the following:
  - i. the time and media used to conduct the meeting;
  - ii. **the names of Councillors present** and absent.
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
  
- u **The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.**

- v **An interest arising from the Code of Conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also Standing Orders 7 and 8.)**
  
- w **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.**
  
- x **If a meeting is, or becomes, inquorate no business shall be transacted** and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.
  
- y Meetings shall not exceed a period of 2½ hours.
  
- z Smoking is not permitted at any meeting of the Council.

## 2 Ordinary Council meetings

*See also Standing Order 1*

- a **In an election year, the Annual Meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
  - a. **In a year, which is not an election year, the Annual Meeting of the Council shall be held on such day in May as the Council may direct.** (NB This no longer applies until May 2021 LAPCP Regulations 2020 Part 6 (c))
  
- b Additional / extraordinary meetings may be called by the Chairman or a Deputy in the event of urgent or special need.
  
- c **If no other time is fixed, the Annual Meeting of the Council shall take place at 7.30pm.**
  
- d **In addition to the Annual Meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
  
- e **The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the Annual Meeting of the Council.**
  
- f **The Chairman of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until his successor is elected at the next Annual Meeting of the Council.**
  
- g **The Vice-Chairman of the Council unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next Annual Meeting of the Council.**
  
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he/she shall preside at the meeting until a successor Chairman**

of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.

- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he/she shall preside at the meeting until a new Chairman of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.
- j Following the election of the Chairman of the Council and Vice-Chairman of the Council at the Annual Meeting of the Council, the order of business shall be as follows.
  - i. In an election year, delivery by Councillors of their declarations of acceptance of office.
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
  - iii. **To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
  - iv. **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
  - v. **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
  - vi. To appoint representatives to outside bodies.
  - vii. To appoint committees and sub-committees.
  - viii. To consider the payment of any subscriptions falling to be paid annually.
  - ix. To inspect any deeds and trust instruments in the custody of the Council: and shall thereafter follow the order set out in Standing Order 15.
  - x. Review of inventory of the Council's land and assets including buildings and office equipment.
  - xi. Review of the Council's and/or employees' memberships of other bodies.
  - xii. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
  - xiii. Establishing or reviewing the Council's policy for dealing with the press/media

### 3 Proper Officer

- a The Council's Proper Officer shall be either (i) the Clerk or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.
  - i. **Sign and serve on Councillors by electronic or postal delivery at their residences a summons confirming the time, date, venue and the agenda of a meeting of the**

**Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.**

- ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub- committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
- iii. Subject to Standing Orders 4, include in the agenda all motions in the order received unless a Councillor has given written notice before the meeting confirming his withdrawal of it.
- iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 3(b)i above.**
- v. Make available for inspection the minutes of meetings.
- vi. **Receive and retain copies of byelaws made by other local authorities.**
- vii. **Receive and retain declarations of acceptance of office from Councillors.**
- viii. Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- ix. Keep proper records required before and after meetings;
- x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds to be signed by 2 Councillors and witnessed (*See also standing orders 14*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council in Councils Meeting Agendas and the Council's response to the local planning authority in Council Meeting Minutes; (Clause amended 2016.)
- xvi. Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Council within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
- xvii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
- xviii. Emergency Powers – in the event of an emergency, which may incur expense, power shall be delegated to the Clerk to act. Before using that power, the Clerk should in the



first instance seek advice from the Chairman or another Councillor, if possible or practicable. If due to the severity of the emergency or the unavailability of Councillors, the Clerk should act to take remedial action.

#### **4 Motions requiring written notice**

- a 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 or the mover has given notice in writing of its terms and has delivered the notice to the Clerk by 12 o'clock noon on the first Tuesday of each month.
- b The Clerk shall record all resolutions or recommendations in Council Meeting Agendas. (Clause amended 2016.)
- c 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.
- d If the subject matter of a resolution comes within the province of a representative of the Council, it shall, upon being moved and seconded, stand referred without discussion to such representative or to such other committee as the Council may determine for report; provided that the Chairman, if he/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- e Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

#### **5 Motions not requiring written notice**

Motions in respect of the following matters may be moved without written notice.

- i To appoint a Chairman of the meeting.
- ii To correct the Minutes.
- iii To approve the Minutes.
- iv To alter the order of business.
- v To proceed to the next business.
- vi To close or adjourn the debate.
- vii To refer a matter to a committee.
- viii To appoint a committee or any members thereof.
- ix To adopt a report.
- x To amend a motion.
- xi To give leave to withdraw a resolution or an amendment.
- xii To extend the time limit for speeches.
- xiii To exclude the public. (*See Standing Order 1*).

- xiv To silence or eject from the meeting a member named for misconduct. (*See Standing Order 10*)
- xv To invite a member having an interest in the subject matter under debate to remain. (*See Standing Order 1*).
- xvi To give the consent of the Council where such consent is required by these Standing Orders.
- xvii To suspend any Standing Order. (*See Standing Order 31*).**

## 6 Rules of debate

- a No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialed by the Chairman.
- b No speech by a mover of a resolution shall exceed two minutes, and no other speech shall exceed two minutes except by consent of the Council. Speeches by members not reading written reports aloud should not normally exceed two minutes.
- c Any member may speak when invited by the Chairman. No members are required to stand when speaking. Discussion must take place through the Chair. All members are expected to listen with courtesy and the Chairman will refer to the rules of debate if necessary.
- d After any matter that requires a vote has been discussed to the satisfaction of the Chairman it shall be put in a suitable form of words for a vote. In event of there being insufficient information for a vote the matter may be adjourned at the discretion of the Chairman. The motion to be voted on must suggest a positive course of action, eg. It is resolved to spend £50 on the Play Area; those for, against or abstaining. (*Note: Where a meeting is adjourned the subsequent proceedings are part of the original meeting and no new notices or agendas need to be issued except a notification to members not present of the date of the continuation of the meeting*).
- e 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 new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

## 7 Code of conduct

*See also Standing Orders 1*

**All Councillors shall observe the Code of Conduct adopted by the Council.**

- a **In accordance with Paragraph 12(2) of the Code of Conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159), which was adopted by the Council and is appended to these orders, (or pursuant to relevant provisions in a**

**statutory code of conduct in force at the time), Councillors may exercise the rights contained in standing order 7(b) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted. (Clause amended 2016.)**

- b **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.**

## **8 Questions**

- a A member may ask the Chairman or the Clerk any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins
- b No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for Public Forum.
- c A person to whom a question has been put may decline to answer.

## **9 Minutes**

- a If a copy of the draft minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(ii) above. (Clause amended 2016.)
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she shall sign the minutes and include a paragraph in the following terms or to the same effect:  

“The Chairman of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the majority of the ( ) and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution, which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

## **10 Disorderly conduct**

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he/she may adjourn the meeting.

## **11 Rescission of previous resolutions**

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 6 Councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

## **12 Voting on appointments**

- a 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/she and the person to whom he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such an appointment, and, if appointed may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. The Clerk shall make known the purport of this Standing Order to every candidate. (Clause amended 2016.)
- b Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

## 13 Expenditure

- a Any matter which will substantially exceed the amount budgeted for will be suspended until a full discussion has taken place. Similarly any unforeseen surplus will not be spent until after full discussion.
- b **Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.**
- c Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.
- d **The Council's Financial Regulations shall be reviewed once a year.**
- e **The Council's Financial Regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

## 14 Execution and sealing of legal deeds

*See also Standing Order 5*

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 14(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

## 15 Committees and Sub-committees

*See also Standing Order 1*

- a The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary clearly defining roles of the committees and any delegated powers, but subject to any statutory provision in that behalf:
  - (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; and
  - (c) may at any time dissolve or alter the membership of a committee. (Clause amended 2016.)
- b 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.

- c 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.

## **16 Extraordinary meetings**

*See also Standing Order 1*

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.**

## **17 Advisory committees**

*See also Standing Order 1*

- a The Council may appoint advisory committees comprised of a number of Councillors and non-councillors.
- b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

## **18 Accounts and Financial Statement**

- a Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- b 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 proper officer for payment with the approval of the Chairman of the Council.
- c All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council
- d The Clerk shall supply to each member at the ordinary meeting next after the end of the Financial Year a statement of receipts and payments.

## **19 Estimates/precepts**

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of December.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than 15 November.

## **20 Canvassing of and recommendations by Councillors**

- a Canvassing Councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A Councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **21 Inspection of documents**

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

## **22 Unauthorised activities**

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

## **23 Confidential business**

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A Councillor in breach of the provisions of standing order 23(a) above may be removed from a

committee or a sub-committee by a resolution of the Council.

## **24 Power of well-being**

- a **Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible Parish Council.**
- b **The Council's period of eligibility begins on the date that the resolution under Standing Order 24 (a) above was made and expires on the day before the Annual Meeting of the Council that takes place in a year of ordinary elections.**
- c **After the expiry of its preceding period of eligibility, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 24(b) above.**

## **25 Matters affecting council employees**

- a 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 public shall be excluded. (*See Standing Order 1*)

## **26 Responsibilities to provide information and Data Protection.**

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**
- c The Council may appoint a Data Protection Officer.
- d **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- e **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- f **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- g **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- h **The Council shall maintain a written record of its processing activities.**



## 27 Relations with the press/media

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

## 28 Liaison with District and County [or Unitary] Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillor of the District and County [or Unitary] Council representing its electoral ward.
- b Unless the Council otherwise orders, a copy of each letter sent to the District or County [or Unitary] Council [shall be sent to the District or County [or Unitary] Council Councillor representing its electoral ward.

## 29 Financial matters

- a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the accounting records and systems of internal control;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
  - v. procurement policies (subject to Standing Order 29(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000 and whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b Equipment exceeding the value of £1,000 purchased by the Council should be subject to a tendering process usually with three tenders offered.
  - (i) The Council is not bound to accept the lowest tender.
  - (ii) If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.
  - (iii) A notice issued under this Standing Order shall contain a statement of the effect of Standing Order Nos. 20.

- c A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).
- d A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

### **30 Allegations of breaches of the code of conduct**

- a The Council shall deal with complaints of mal administration 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 Standards Board for consideration.

### **31 Variation, revocation and suspension of standing orders**

- a Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.
- b A resolution to permanently add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

### **32 Standing orders to be given to councillors**

- a The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of his declaration of acceptance of office.
- b The Chairman's decision as to the application of standing orders at meetings shall be final.
- c A Councillor's failure to observe Standing Orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

### **33 General rules of remote meetings**

- a Members (including the public) asked to mute their device when they are not speaking.
- b Roll call to be taken at the beginning of the meeting to determine those Councillors present for

those who do not have a video link.

- c Members to state their name when they are speaking for those who do not have a video link.
- d Votes taken to be read back to ensure everyone's vote is recorded accurately.
- e The Chair to remind everyone to be respectful to each other.

*These Standing Orders were adopted by Ardleigh Parish Council at its meeting held on 10 August 2020*

*Signed..... (Chairman)*

## **Annex to Standing Orders**

### **Section 12 of Code of Conduct adopted by Ardleigh Parish Council September 2007**

#### **Effect of prejudicial interests on participation**

12.-(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—

- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
  - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
  - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting; unless you have obtained a dispensation from your authority's standards committee;
- (b) you must not exercise executive functions in relation to that business; and
- (c) you must not seek improperly to influence a decision about that business.

12.-(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.