

# **SLYNE WITH HEST PARISH COUNCIL**

## **STANDING ORDERS**

### **1. Meetings**

Meetings of the Council shall be held on the third Monday of each month, except in the month of August, at 7.30pm in Slyne with Hest Memorial Hall unless the Council otherwise decides at a previous meeting.

#### The Statutory Annual Meeting

- (a) in an election year shall be held or within 14 days following the day on which the councillors elected take office
- (b) in a year which is not an election year shall be held on the third Monday in May or on such a day in May as the Council may direct.

### **2. 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.

### **3. Proper Officer**

- Where a statute regulation or order confers functions or duties on the proper officer of Council 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 interests at meetings
  - (c) to receive and retain plans and documents
  - (d) to sign notices or other documents on behalf of the Council
  - (e) to receive copies of bylaws made by another local authority
  - (f) to certify copies of bylaws made by the Council
  - (g) to sign and issue the summons to attend meetings of the Council
  - (h) to keep proper records of all Council meetings

### **4. Quorum of the Council**

- Three members shall constitute a quorum at meetings of the Council
- 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**

- 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
- subject to (1) and (2) 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.
  - (1) 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.
  - (2) The presiding person must give a casting vote whenever there is an equality of votes in an election for Chairman.

## 6. **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 declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the council 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
- At every meeting other than the Annual Parish 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.
- After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:-
  - (a) after consideration of 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) to approve the signature of the Minutes by the person presiding as a correct record
  - (b) to deal with business expressly required by statute to be done

## 7. **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 or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 7 clear days before the next meeting of the Council.
- Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties which affects its area.

## **8. 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 on speeches
  - (n) to exclude the press and Public (see Order below)
  - (o) to silence or eject from the meeting a member named for misconduct (see Order below)
  - (p) to give consent of the Council where such consent is required by these Standing Orders
  - (q) to suspend any Standing Order (see Order below)
  - (r) to adjourn the meeting

## **9. Committees**

- The Council may at its Annual Parish Council Meeting appoint standing committees and may at other time appoint such committees as are necessary.
- Every committee shall operate under the statutory regulations which apply to the full Council
  - at its first meeting before proceeding to any other business shall elect a Chairman who shall hold office until the next Annual Meeting of the Council
  - shall issue a notice of each meeting, at least three working days prior to the meeting
  - shall issue an agenda and keep minutes of proceedings
  - the quorum of a committee shall be one half of its members
- Chairmen of committees shall in the case of equality of votes have a second casting vote
- The Standing Orders on rules of debate and the Standing Orders on interests of members in contracts and other matters shall apply to committee meetings

## **10. Questions**

- 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
- No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions
- A person to whom a question has been put may decline to answer

## **11. Rules of Debate**

- No discussion shall take place upon the Minutes except upon the accuracy. Corrections to Minutes shall be made by resolution and initialled by the Chairman
- A resolution or amendment shall not be discussed unless it has been proposed and unless proper notice has already been given
- A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order
- An amendment shall be either:-
  - (i) to leave out words
  - (ii) to leave out words and insert or add others
  - (iii) to insert or add words
- An amendment shall not have the effect of negating the resolution before the Council
- The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed
- Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
- 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
- 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 three members of the Council.

## **12. Disorderly Conduct**

- All members must observe the Code of Conduct which was adopted by the Council on 21 May 2007, a copy of which is annexed to these Standing Orders
- 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 to bring the Council into disrepute

## **13. Expenditure, Accounts and Financial Matters**

- Orders for the payment of money shall be authorised by resolution of the Council and signed by two members
- Except as below or by statute, all accounts for payment and claims upon the Council shall be laid before the Council
- 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 Responsible Financial Officer. Such payments shall be authorised by the proper officer for payment with the approval of the Chairman and Vice-Chairman. All ratified payments of this nature shall be separately included in the next schedule of payments before the Council
- 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 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 the Council for formal approval before the end of the following month of July.

- The Council shall approve written estimates for the coming financial year at its meeting before the end of the month of January.
- The Council shall consider and approve fully comprehensive Financial Regulations drawn up by the Responsible Financial Officer. The Financial Regulations of the Council shall be subject to regular review, at least once every three years.

#### **14. Interests**

- If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 21 May 2007 then he shall declare such interest as soon as it becomes apparent, declaring the existence and nature of that interest as required.
- If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room during consideration of the item to which the interest relates.
- The Clerk shall hold a copy of the Register of Member's Interests, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

#### **15. Relationship to Members, Canvassing and Recommendation by Members**

- 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 he relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and if appointed, may be dismissed without notice. The Clerk shall report to the Council any such disclosure. Where relationship to a member is disclosed this Standing Order shall apply. The Clerk shall make known the purpose of this Standing Order to every candidate
- 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 purpose of this Standing Order to every candidate
- A member of the Council or of any committee shall not solicit for any person for any appointment under the Council or recommend any person for such appointment, 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 an appointment
- The above Orders shall apply to tenders as if the person making the tender were the candidate for an appointment

#### **16. Admission of Press and Public to Meetings**

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

resolution in view of the confidential nature of business to be transacted. The Council shall state the special reason for exclusion

- A member of the public shall not orally report or comment about a meeting as it takes place but otherwise may a) film, photograph or make an audio recording of the meeting: b) use any other means for enabling a person 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.

#### **17. Planning Applications**

- The Clerk shall, as soon as received, enter into a book kept for the purpose the following particulars of every planning application notified to the Council:-
  - (a) the date on which it was received
  - (b) the name of the applicant
  - (c) the place to which it relates
  - (d) the Clerk shall notify the Chairman/Chairman of Planning Committee within 48 hours of receipt

#### **18. 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, and if copies are available shall, on request, be supplied with the like purpose with a copy
- All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council

#### **19. Conduct of Members**

- No member of the Council or of any committee shall in the name of or on behalf of the Council:-
  - (a) inspect any lands or premises which the Council has right or duty to inspect; or
  - (b) issue orders, instructions or directions,  
unless authorised to do so by the Council or the relevant committee
- No member of the Council or of any committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council or the committee as the case may be. Any member in breach of this provision may be removed from any committee of the council by the Council
- 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 in those complaints which should be properly directed to the Standards Board for consideration

#### **20. General Data Protection Regulations**

- New regulations are in force from 25 May 2018
- The Council shall comply with these Regulations, have a Privacy Notice in place and hold only information about an individual which is acceptable within the Regulations and to which the individual has agreed and shall not disseminate such information.
- The Council shall appoint a Data Controller.

- Any information about the Regulations and Privacy Notice shall be made available on request to a member of the public.

## **21. Delegation**

- The Council shall delegate to the Clerk the authority to make routine decisions on its behalf as and when required, including routine planning decisions, subject to consultation being made with the two members of the Planning Committee.

## **22. Variation, Revocation and Suspension of Standing Orders**

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

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.

**These Standing Orders were adopted by Slyne with Hest Parish Council at its meeting held on Monday 17 March 2008 (minute ref. 1071)**

**Revised at the meeting of the Council on Monday 20 October 2008 (minute ref. 1172)**

**Revised at the meeting of the Council on Monday 21 September 2009 (minute ref. 1321)**

**Revised at the meeting of the Council on Monday 17 November 2014 (minute ref. 2093)**

**Revised at the meeting of the Council on Monday 18 May 2015 (minute ref. 2167)**

**Revised at the meeting of the Council on Monday 21 May 2018 (minute ref. 2582)**