



PARISH COUNCIL  
*Kempsey*

## **Kempsey Parish Council**

### **Standing Orders**

## Document revisions

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15.c.vi	Membership from 5-7 members for Planning	08/06/15
15.d.iii	Quorum Planning Committee 3-5 members	08/06/15

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# 1. Meetings

Mandatory for full Council meetings	▲
Mandatory for committee meetings	■
Mandatory for sub-committee meetings	●

- a. ▲ Meetings shall usually be held in the Kempsey Community Centre. When this is not available 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. ▲ ■ When calculating the 3 clear days for notice of a meeting to Councillors and the public, 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 shall not count.
- c. ▲ ■ 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 giving reasons for the public's exclusion.
- d. At the Chairman's discretion, subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e. During a period of adjournment, a public question time of up to thirty minutes shall be held where members of the public may put questions to the Council or bring matters to their attention.
- f. Participation in the public question time discussion shall be restricted to Parishioners except where specifically agreed otherwise by the Council.
- g. The length of time any person can speak for during the public question time shall be at the discretion of the Chairman.
- h. During the public question time (public participation session), questions may be asked by a member of the public but shall not require an immediate response or debate.
- i. In accordance with standing order 1(h) 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 add the item to the agenda for the following meeting or referred to an employee for a written or oral response.
- j. A record of a public participation session at a meeting shall be attached to the minutes of that meeting.
- k. A person shall raise their hand when requesting to speak during the public question time and members of the public shall stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking. The Chairman will ask for the name and address of a member of the public addressing the Council.
- l. Any person speaking at a meeting shall address their comments to the Chairman.
- m. 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.
- n. Correspondence received by the Council shall be presented by the Clerk for discussion. This should be early on the agenda.
- o. ▲ ■ **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**

- p. ▲ ■ In accordance with standing order 1(c) 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.
- q. ▲ Subject to standing orders that 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 (if any).
- r. ▲ The Chairman, if present, shall preside at Council meetings. 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.
- s. ▲ ■ ● Subject to model standing order 1(aa) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- t. ▲ ■ ● 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 gave an original vote. (See also standing orders 2(h) and (i) below.)
- u. ▲ Unless standing orders provide otherwise, voting on any question shall be by a show of hands. 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 vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- v. ▲ ■ ● The minutes of a meeting shall record the names of Councillors present and absent. They shall also record the following:
  - i. declarations of interest (see 1(y), below);
  - ii. adoption of minutes from the previous meeting of that particular group, committee or Council;
  - iii. brief details of all resolutions, decisions, actions arising and any relevant timescales;
- w. If prior to a meeting, a Councillor has submitted reasons for his absence from the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given (see 1(v), above).
- x. ▲ ■ ● The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.
- y. ▲ ■ ● 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 order 7 below.)
- z. ▲ No business may be transacted at a meeting unless at least one third of the whole number of members of the Council (13 Councillors) are present and in no case shall the quorum of a meeting be less than three.
- aa. ▲ ■ ● 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.

## 2. Ordinary Council meetings

*See also standing order 1 above*

- 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.**
- b. **In a year that is not an election year, the annual meeting of the Council shall be held on such day in May as the Council may direct.**
- 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 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, if any, unless he 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 shall preside at the meeting until a successor Chairman of the Council has been elected. The outgoing 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 shall preside at the meeting until a new Chairman of the Council has been elected. He 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 (if any) 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. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
  - iv. Review of the terms of references for committees.
  - v. Confirmation of appointments to existing committees.
  - vi. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
  - vii. Review and adoption of appropriate standing orders and financial regulations.
  - viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
  - ix. Review of representation on or work with external bodies and arrangements for reporting back.
  - x. In a year of elections, if a Council's period of eligibility to exercise the power of well being expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
  - xi. Review of inventory of land and assets including buildings and office equipment.
  - xii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
  - xiii. Review of the Council's and/or employees' memberships of other bodies.
  - xiv. Establishing or reviewing the Council's Complaints Procedure.
  - xv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
  - xvi. Establishing or reviewing the Council's Communications Policy for dealing with the press/media
  - xvii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.
  - xviii. Setting the date, time and place of the Finance and General Purposes Committee meeting to set the budget proposal to be put before the Council.
  - xix. Review Community Centre electricity and gas supply contracts.
  - xx. Review Banking and Investments.

### 3. Proper Officer

- a. The Council's proper officer shall be either:
  - i. The clerk or such other employee as may be nominated by the Council from time to time or
  - ii. Such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence.
  - iii. 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 delivery, post or by electronic means 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. **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 OR 3(b)ii above.**
  - iv. Make available for inspection the minutes of all meetings.
  - v. **Receive and retain copies of byelaws made by other local authorities.**
  - vi. **Receive and retain declarations of acceptance of office from Councillors.**
  - vii. Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.
  - viii. Keep proper records required before and after meetings;
  - ix. 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.
  - x. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - xi. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
  - xii. Arrange for legal deeds to be sealed using the Council's common seal.
  - xiii. 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.
  - xiv. Record every planning application notified to the Council and the Council's response to the local planning authority in a document for such purpose;
  - xv. Refer a planning application received by the Council to the Chairman of the Planning Committee or in his absence the Vice-Chairman of the planning committee within 2 working days of receipt.
  - xvi. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
  - xvii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.



## 4. Motions not requiring written notice

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

- a. To appoint a person to preside at a meeting
- b. To approve the absence of Councillors
- c. To approve the accuracy of the minutes of the previous meeting
- d. To correct an inaccuracy in the minutes of the previous meeting
- e. To dispose of business, if any, remaining from the last meeting
- f. To alter the order of business on the agenda for reasons of urgency or expedience
- g. To proceed to the next business on the agenda
- h. To close or adjourn debate
- i. To refer by formal delegation a matter to a committee, sub-committee or employee
- j. To appoint a committee or sub-committee or any Councillors (including substitutes) thereto
- k. To receive nominations to a committee or sub-committee
- l. To dissolve a committee or sub-committee
- m. To note the minutes of a meeting of a committee or sub-committee
- n. To consider a report and/or recommendations made by a committee, sub-committee, employee, professional advisor, expert or consultant
- o. To authorise legal deeds to be sealed by the Council's common seal, or signed by two Councillors, and witnessed (see Standing Orders 14(a) and (b) below)
- p. To authorise the payment of monies up to £250.00
- q. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it
- r. To extend the time limit for speeches
- s. To exclude the press and public for all or part of a meeting
- t. To silence or exclude from the meeting a Councillor or member of the public for disorderly conduct
- u. To give the consent of the Council if such consent is required by the Standing Orders
- v. **To suspend any standing order except those which are mandatory by law**
- w. To adjourn the meeting
- x. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies
- y. To answer questions from Councillors

## 5. Motions requiring written notice

- a. No motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least five clear days before the next meeting.
- b. The Proper Officer may, before including a motion in the agenda received in accordance with standing order 5(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c. If the Proper Officer considers the wording of a motion received in accordance with the standing order 5(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least five clear days before the meeting.

- d. If the wording of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the mover to agree suitable amendment or its rejection.
- e. If no agreement is reached under standing order 5(d) above the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- f. Having consulted as per standing order 5(d) and if necessary 5(e) the decision of the proper officer as to whether or not to include the motion in the agenda shall be final.
- g. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

## 6. Rules of debate

- a. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b. A motion shall not be considered unless it has been proposed and seconded.
- c. A motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.
- d. A Councillor may move amendments to his own motion. If a motion has been seconded an amendment to it shall be with the consent of the seconder.
- e. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- f. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- g. Subject to Standing Order 6(f) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- h. If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- i. The mover of a motion or the mover of an amendment shall have a right of reply.
- j. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- k. During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order that he considers has been breached or specify the irregularity in the meeting he is concerned by.
- l. A point of order shall be decided by the Chairman and his decision shall be final.
- m. When a Councillor's motion is under debate no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be silent or for him to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting;
  - ix. to suspend any standing order, except those which are mandatory.

- n. In respect of standing order 6(m)iv above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

## 7. Code of conduct

- a. **All Councillors shall observe the code of conduct adopted by the Council.**
- b. Councillors may apply in writing to the Proper Officer of the Council for a dispensation in regard of a Declaration Of Interest to allow them:
  - i. to participate in the discussion of the matter but not to vote, or
  - ii. to participate in the discussion of the matter and to vote.

If the Council considers that the application meets the relevant criteria in the localism act 2011, section 33 (2), it may grant a dispensation for a period of up to 4 years.

- c. All Councillors should undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.

## 8. Questions

- a. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- b. Discussion on any question and answer shall be at the discretion of the Chairman.

## **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 moved without prior written notice in accordance with standing order 4(d) above.
- 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. Upon a resolution that confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.
- e. Draft minutes of all meetings shall be circulated to the relevant Councillors within seven working days of the meeting. These draft minutes shall be for the Councillors information only and not for disclosure to others.

## **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 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 5 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. 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.
- b. Voting for Chairman and Vice-Chairman of the Council shall be by paper ballot.
- c. Voting on cooption shall be by paper ballot.

## 13. Expenditure

- a. Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b. **The Council's financial regulations shall be reviewed at least once a year.**
- c. **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

- 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, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two members of the Council who shall sign the deed as witnesses.**

## 15. Committees

*See also standing order 1 above*

- a. The Council may, at its annual meeting, appoint the following standing committees and may at any other time appoint such other committees as may be necessary, and:
  - i. may permit committees to determine the dates of their meetings;
  - ii. shall appoint and determine the term of office of Councillor or non-Councillor members of such a committee (unless the appointment of non-Councillors is prohibited by law) so as to hold office no later than the next annual meeting;
  - iii. may in accordance with standing orders, dissolve a committee at any time.
- b. Standing committees to be appointed annually are:
  - i. Commons and Hams Committee.
  - ii. Community Centre Committee.
  - iii. Environment Committee.
  - iv. Finance and General Purposes Committee.
  - v. Planning Committee.
  - vi. Recreation Committee.
  - vii. Staff Committee.
- c. Membership
  - i. All standing committees shall consist of five members with the exception of the Finance and General Purposes, Staff Committees and Planning Committees.
  - ii. The Finance and General Purposes Committee shall consist of the Council Chairman and Vice-Chairman and the Chairman of each standing committee.
  - iii. The Staff Committee shall consist of the Chairman and Vice-Chairman of the Council, the Parish Clerk, one member appointed by the Council and one member selected by the Parish Clerk.
  - iv. The Council Chairman and in his absence the Council Vice-Chairman shall chair Finance and General Purposes and Staff Committees. All other standing committees shall elect their own Chairman at their first meeting.
  - v. In order to fulfil all their duties the Chairman and Vice-Chairman of the Council are not expected to serve on standing committees with the exception of the Finance and General Purposes, Staff Committee and Planning Committee.
  - vi. The Planning Committee shall consist of seven members to include the Chairman and Vice-Chairman.

d. Quorum

- i. The quorum for committee meetings shall be the greater of three or one third of the committee membership, whichever is greater, with the exception of the Finance and General Purposes Committee when preparing the annual budget for submission to the Council and The Planning Committee.
- ii. When preparing the budget for submission to the Council the quorum for the Finance and General Purposes Committee shall be the Council Chairman or Council Vice-Chairman and all standing committee Chairman except:
  1. In the event of unavoidable absence of a standing committee Chairman, that Committee shall be represented, with full voting rights, by a member of that Committee.
  2. If a standing committee Chairman is the Chairman of one or more other standing committees, he shall represent only one standing committee. All other standing committees for which he is Chairman shall be represented, with full voting rights, by a member of that Committee.
- iii. The Planning Committee shall consist of five members to be quorate.

e. Duties and Powers

- i. Standing committees shall have no decision making powers except where such powers have been specifically delegated to it by the Council.
- ii. All standing committees shall prepare and submit written proposals to the Finance and General Purposes Committee in November of their planned revenue and expenditure requirement for the next financial year.
- iii. Commons and Hams Committee shall be responsible for monitoring all commons and hams and allotments for which the Council has responsibility, reporting regularly to the Council, and as and when necessary or when instructed by the Council recommending and formulating any necessary action.
- iv. Community Centre Committee shall be responsible for monitoring all activities in the community centre, the physical condition of the centre, liaison with all tenants and users, reporting regularly on these to the Council and as and when necessary or when instructed by the Council recommending and formulating any necessary action. It shall also be responsible for formulating proposals for maximising the Centre revenues.
- v. Environment Committee shall be responsible for monitoring all environment matters including but not limited to bus shelters, litter bins, benches, seats, footpaths, pavements and walkways and the Rocky area, reporting regularly to the Council and when necessary or when instructed by the Council recommending and formulating any necessary action.
- vi. Finance and General Purposes Committee shall formulate and present written proposal for income and expenditure for all Council activities in the following financial year to the Council in January. It shall also as and when instructed by the Council formulate recommendations and proposals on any matters outside the scope of the other standing committees.
- vii. Planning Committee shall be responsible for scrutinising all planning applications received by the Council and recommending objection, no objection, support, conditional or otherwise to the Council all in accordance with Standing Order 16.
- viii. Recreation Committee shall be responsible for monitoring the Playing Field and Sports Pavilion and any other recreational space, reporting regularly to the Council, and as and when necessary or when instructed by the Council recommending any necessary action.
- ix. Staff Committee shall be responsible for monitoring all staffing matters, recruitment and selection, staffing and training budgets, annual performance reviews, employee policies and as and when necessary or when instructed by the Council recommending and formulating any necessary action.



## 16. Planning

- a. In accordance with section 15(e) vii above, all planning applications received at the Parish Office from Planning Authorities shall be reviewed by the Planning Committee. All planning applications will be notified to all Parish Councillors by way of the Planning Committee meeting agenda that will be circulated to all Parish Council members.
- b. For each application the Planning Committee shall make a Response within the timeframe requested by the Planning Authority. The Chair of the Planning Committee shall request the Proper Officer to convene meetings of the Planning Committee to accommodate these timeframes or to consider other planning matters relevant to the Parish. .
- c. Should any Parish Council member have any comments relevant to any planning application, they should notify the Proper Officer prior to the scheduled Planning Committee meeting who shall ensure that such comments are circulated to all members of the Planning Committee prior to consideration of the application by the Planning Committee.
- d. The Planning Committee shall have the delegated authority to submit a formal Response on behalf of the Parish Council, reporting this at the next Parish Council meeting. All approved and draft minutes of the Planning Committee not previously published shall be circulated by the Proper Officer to all Parish Council members at least four days prior to a Parish Council meeting.
- e. When timing constraints are such that the Planning Committee is unable to submit a response by the due date the Proper Officer shall submit a request to the relevant Planning Authority for acceptance of a late submission.
- f. If any Parish Council member considers that a particular application should be taken for debate at a full Parish Council meeting, they may request the Proper Officer to place a relevant motion on the agenda of the next Parish Council meeting. The Proper Officer shall consider the timeframe for the Response, liaising with the relevant Planning Authority if necessary, before affecting the request.
- g. When the Parish Council wishes to make official representations to outside organisations on planning matters and in compliance with Clause 25(a)ii the Chair of the Planning Committee (or an authorised Planning Committee member) shall have the delegated authority to speak on the Parish Council's behalf when there is no suitable Parish Council meeting to give this authorisation, or the Planning Committee under its delegated powers, clause 16(c), also has no suitable meetings.

## **17.Sub-committees**

*See also standing order 1 above*

- a.** Unless there is a Council resolution to the contrary, every Committee may appoint, where relevant, a sub-committee whose terms of reference and members, either Councillors or non-councillors), shall be determined by resolution of the Committee.
- b.** The Sub-committee shall elect its own Chairman and Vice-Chairman.

## 18. Extraordinary meetings

*See also standing order 1 above*

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

## 19. Working parties

*See also standing order 1 above*

- a. The Council may appoint working parties comprised of a number of Councillors and non-councillors to consider and make recommendations to the Council or a Committee on any matter where it considers such an arrangement to be beneficial.
- b. Working parties may consist wholly of persons who are non-councillors.
- c. The Council or Committee establishing the working party shall also establish its terms of reference and its duration.
- d. Where appropriate, the working party shall elect its own Chairman and Vice-Chairman.

## 20. Accounts and financial statement

- a. All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for the each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

## 21. Estimates/Precepts

- a. **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January and shall determine and submit to MHDC by its due date the Parish precept for the following year.
- 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 30<sup>th</sup> November.

## 22. 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. 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 22(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £30,000;
- b. **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £30,000 shall be procured on the basis of a formal tender as summarised in standing order 22(c) below.**
- c. Any formal tender process shall comprise the following steps:
  - i. a public notice of intention to place a contract to be placed in a local newspaper;
  - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
  - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
  - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
  - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee;
- d. Neither the Council, nor any Committee, is bound to accept the lowest tender, estimate or quote.
- e. **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

## **23.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.

## **24.Inspection of documents**

- a. 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.

## **25.Unauthorised activities**

- a. Unless authorised by a resolution, no individual Councillor shall in the name of 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;
  - ii. issue orders, instructions or directions;
- b. Where timing constraints prevents formal authorization by full Council for a Councillor to represent The Council at a meeting of an outside body the Chairman, and in his absence, The Vice-Chairman shall have the delegated authority to do so.

## **26.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 26(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

## **27. 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 27(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 27(b) above.

## **28. Matters affecting Council employees**

- a. All staff grievances shall be referred to the Staff Committee to consider and make recommendations to the Council for resolution.
- b. All other matters relating to staff shall be dealt with in accordance with their individual employment contracts.
- c. During discussions of issues relating to Staff, they shall vacate the room.

## **29. Freedom of Information Act 2000**

- a. All requests for information held by the Council shall be processed in accordance with the Freedom of Information Act 2000.
- b. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)ix above.

## **30. Communication**

- a. All oral, written and electronic communications sent to the Council shall be processed in accordance with the Council's Communications Policy.
- b. All requests from the press and/or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's Communications Policy.
- c. All Council and Committee notices of meetings and agendas to be published in accordance with the Councils Publication Scheme, timings to be in accordance with Standing Orders.
- d. All Council and Committee confirmed minutes to be published in accordance with the Councils Publication Scheme, within seven working days of their confirmation.

## **31. 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 Councillors of the District Council and County Council representing its electoral ward.

## **32. Allegations of breaches of the Code of Conduct**

- a. Complaints against individual Councillors are to be referred by the complainant in writing to the Monitoring Officer.
- b. Complaints against the Council and/or the Clerk shall be processed in accordance with the Council's Complaints Procedure.
- c. Anonymous complaints will be filed with no action taken unless they are of a criminal nature when they will be passed to the Police.

## **33. Variation, revocation and suspension of standing orders**

- a. Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b. To add to or vary or revoke one or more of the Council's standing orders, not mandatory by law, the subject shall be added to the agenda and discussed at a full Parish Council meeting.

## **34. 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 the 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 their exclusion from the meeting in accordance with standing orders.