

FOWNHOPE PARISH COUNCIL STANDING ORDERS - INDEX

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FOWNHOPE PARISH COUNCIL STANDING ORDERS

1. Meetings

Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.

Smoking is not permitted at any meeting of the Council.

2. The Statutory Annual Meeting

In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office and in a year which is not an election year the Annual Parish Council Meeting shall be held on such day in May as the Council may direct. In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.

3. 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.

4. Proper Officer

Where a statute, regulation or order confers function or duties on the Proper Officer of the Council in the following cases, he shall be the clerk or nominated officer:

- To receive declarations of acceptance of office.
- To receive and record notices disclosing interests at meetings.
- To receive and retain plans and documents.
- To sign notices and other documents on behalf of the Council.
- To receive copies of byelaws made by the Council.
- To sign and issue the summons to attend meetings of the Council.
- To keep proper records for all Council meetings.

5. Quorum of the Council

Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at formal scheduled 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 day as the chairman may decide.

6. Voting

Members shall vote by a show of hands or, if at least two members so request, by signed ballot. 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.

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.

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.

The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

7. Order of Business – Annual Parish Council Meetings

At each Annual Parish Council Meeting the first items of business shall be:

To elect a Chairman and Vice-Chairman of the Council.

To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.

In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.

To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.

To elect a Vice-Chairman of the Council.

To appoint representatives to outside bodies.

To appoint committees and working groups.

To consider the payment of any subscriptions falling to be paid annually.

To inspect any deeds and trust investments in the custody of the Council as required.

8. Order of Business – Routine Parish Council Meetings

At every meeting other than the Annual Parish Council Meeting the first items of business shall be

To appoint a Chairman if the Chairman and Vice-Chairman be absent.

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.

To approve the signature of the minutes of the previous meeting by the person presiding as a correct record.

To deal with business expressly required by statute to be done.

In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees.

No items of business are to be considered which have not been notified on the agenda prior to the meeting.

Normally, the Council shall conduct its lawful business according to the agenda in the order in which items have been tabled. Meetings are to be scheduled to last no longer than 2 hours, albeit the Chairman may, in exceptional circumstances, extend this. However, the Chairman can vary the order of business, without notice and will consider any reasonable request from a member to do so, provided it is supported by a majority of the councillors present.

9. Urgent Business

Urgent business may be discussed at the meeting, subject to the agreement of the majority of the councillors present.

10. Minutes

No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

11. Rules of Debate

A resolution or amendment shall not be discussed unless it has been proposed and seconded.

An amendment shall be either to:

- Leave out words.
- Leave out words and insert others.
- To insert or add words.

An amendment shall not have the effect of negating the resolution before the Council.

The amendment shall be voted on first.

If the amendment falls, a vote shall be taken on the original resolution.

A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

The mover of a resolution or of an amendment shall have a right of reply, not exceeding 3 minutes.

A motion of amendment may be withdrawn by the proposer with the consent of the Council.

When a resolution is under debate no other resolution can be moved.

A member shall remain seated when speaking unless requested to stand by the Chairman.

Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.

Whenever the Chairman speaks during a debate all other members shall be silent.

12. Disorderly Conduct

All members must observe the Code of Conduct which has been adopted by the council, 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 as to bring the Council into disrepute.

If, in the opinion of the Chairman, a member has broken the provisions of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting. The motion, if seconded, shall be put forthwith and without discussion.

The Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to control disorderly conduct.

13. Resolutions

The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote.

A member may, with the consent of his seconder, move amendments to his own resolution.

A decision (whether affirmative or negative) of the Council shall not normally be re-visited unless significant new information comes to light and further debate is agreed by the majority of councillors present.

14. Voting on Appointments

Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck of the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

15. Discussions and Resolutions Affecting Employees of the Council

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 excluded the press and public.

16. Committees

The Council may appoint Committees or Groups for purposes to be specified by the Council.

Except where ordered by the Council the quorum of a committee shall be one-half of its members.

The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and group meetings.

Members of committees and groups entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

17. Special Meeting

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.

18. Voting in Committees

Member of committees entitled to vote shall vote by a show of hands, or, if at least two members so request, by signed or confidential vote. Chairmen of committees shall in the event of a tied vote have a second, or casting, vote.

19. Presence of Non-members at Committee Meetings

A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

20. Financial Matters

The Council shall consider and approve Financial Regulations for the administration of its Finances drawn up by the Responsible Financial Officer. Such Regulations are to ensure compliance with current legislation and Best Practice.

21. Interests

If a member has a personal interest as defined by the Code of Conduct adopted by the Council then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

If a member who has declared a personal interest then considers the interest to be prejudicial, he/she must withdraw from the room during consideration of the item to which the interest relates immediately after making representations, answering questions or giving evidence. The member must not exercise executive functions in relation to that business and must not seek to improperly influence a decision about that business.

If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. The Clerk shall make known the purpose of this order to every candidate.

22. Canvassing of and Recommendations By Members

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 purport of this sub-paragraph of this Standing Order to every candidate. A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; 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 appointment.

23. 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 or a committee, and if copies are available shall, on request, be supplied for 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.

24. Unauthorised Activities

No member of the Council or of any committee shall in the name of or on behalf of the Council inspect any lands or premises which the Council has a right or duty to inspect or Issue orders, instructions or directions unless authorised to do so by the Council or the relevant committee.

25. Admission of The Public and Press to Meetings

The public and Press shall be admitted to all meetings of the Council and its committees, which may, however, temporarily exclude the public by means of the following resolutions: "That in view of the exceptional nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw". The Council shall then inform the public and press the special reason for the exclusion.

At all meetings of the Council the Chairman may at his discretion and at a convenient time in the transaction of business, allow any members of the public to address the meeting in relation to the business being transacted. Such sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct which was adopted by the Council shall apply to members of the Council in respect of the entire meeting. Where, however, members of the council exercise their rights pursuant to the following paragraph, members of the public shall be allowed to attend the meeting to make representations, answer questions or give evidence relating to the business being transacted.

At all meetings of the Council, the Chairman may permit members of the Council (including co-opted members as defined by s49 (7) Local Government act 2000) who have a prejudicial interest in relation to any item of business to be transacted at that meeting to make representations, answer questions or give evidence relating to the business being transacted. The Code of Conduct which adopted by the Council shall apply to members of the Council in respect of the entire meeting.

26. Confidential Business

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, committee or working group as the case may be. Any member in breach of this Order shall be removed from any committee of the council by the Council.

27. Liaison with Ward Councillors

A summons and agenda for each meeting shall be sent, together with an invitation to attend, to the Unitary Councillor for the Ward.

28. Planning Applications

The Council is to adopt a Policy for dealing with Planning Applications. The Policy is to ensure that applications are dealt with in a timely manner and that current legislation is complied with.

29. Code of Conduct on Complaints

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 for those complaints which should be properly directed to the Standards Board (England) for consideration.

30. Variation, Revocation and Suspension of Standing Orders

Any or every part of the Standing Orders may be suspended by resolution in relation to any specific item of business.

A resolution permanently 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.

31. Standing Orders to be Given to Members

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.