

STANDING ORDERS - STOKE GIFFORD PARISH COUNCIL

MEETINGS

1. Meetings of the Council shall be held in the Community Hall, Little Stoke at 7.30 pm
2. The Statutory Annual Meeting (a) in an election year, shall be held on the Tuesday next following the fourth day after the ordinary day of elections to the Council and (b) in a year that is not an election year shall be held on the second Tuesday in May. All Candidates will be duly notified of the meeting with 7 days' notice duly given.
3. The three other statutory meetings shall be held on the second Tuesday in the months of March, September and December.
4. Six additional meetings shall be held on the second Tuesday of the months of January, February, April, June, July, October and November.

CHAIRMAN OF MEETINGS

5. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

PROPER OFFICER

6. Where a statute, regulation or order confers functions or duties on the proper officer of the Council, in the following cases she/he shall be the Clerk:
 - a. To receive declaration of acceptance of office
 - b. To receive and record notice disclosing members' interests
 - 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 the District Council
 - f. To certify copies of bylaws made by the Council
 - g. To sign summonses to attend meetings of the Council

In any other case the proper officer shall be the person nominated by the Council and in default of nomination, the Clerk.

QUORUM

7. Four members shall constitute a quorum
8. If a quorum is not present when the Council meets or if during the meeting the number of councillors present and not debarred by reason of a declared interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the chairman may fix.

VOTING

9. Members shall vote by show of hands, or if at least two members so request, by signed ballot
10. 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.

11. (1) Subject to (2) and (3) below, the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though she/he gave no original vote.
- (2) 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 Deputy Chairman until the end of their term of office, she/he may not give an original vote in an election for chairman.
- (3) The person presiding must give a casting vote whenever there is an equality of votes for Chairman

ORDER OF BUSINESS

(In an election year councillors should execute Declarations of Acceptance of Office in each others presence, or in the presence of a proper officer previously authorised by the Council to take such declaration, before the annual meeting commences.)

12 At each Annual Meeting the first business shall be:

- (a) To elect a Chairman.
- (b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
- (c) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
- (d) To elect a Vice Chairman
- (e) To appoint committees
- (f) To consider the payment of any subscriptions falling to be paid annually and thereafter follow the order set out in Standing Order 15.

13 At every meeting other than the Annual 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) as are required by the law to be made, or if not then received to decide when they shall be received.

14 In every year not later than the meeting at which the estimates for the next year are settled the Council shall review the pay and conditions of service of existing employees (See Standing Order 32.)

ORDER OF BUSINESS

15. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency shall be as follows:-

- (a) To read and consider 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.
- (b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
- (c) To deal with the business expressly required by statute to be done.
- (d) To dispose of business, if any, remaining from the last meeting.
- (e) To receive such communication as the person presiding may wish to lay before the Council.
- (f) To answer questions
- (g) To receive and consider reports and minutes of committees.

- (h) To receive and consider reports from officers of the Council.
 - (i) To authorise the sealing of documents.
 - (j) To authorise the signing of orders for payment.
 - (k) To consider resolutions or recommendations in the order in which they have been notified.
 - (l) Any other business specified in the summons.
- 16 A motion to vary the order of business on the grounds of urgency may
- (a) Be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
 - (b) Shall be put to the vote without discussion.

RESOLUTIONS MOVED ON NOTICE

- 17 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 not later than 7 working days prior to the next meeting of the Council unless the Chairman deems it to be urgent.
- 18 The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given.
- 19 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.
- 20 If the subject matter of a resolution comes within the province of a committee of the Council, it shall upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 21 Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

- 22 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 resolution.
 - (l) To give leave to withdraw a resolution or an amendment.
 - (m) To extend the time limit for speeches.
 - (n) To exclude the public (see Order 57).
 - (o) To silence or eject from the meeting a member named for misconduct. (see Order 27).
 - (p) To invite a member having an interest in the subject matter under debate to remain.

(see Order 48).

- (q) To give consent of the Council where such consent is required by these Standing Orders.

RULES OF DEBATE

- 23 No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman
- 24 (a) A proposition or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- (b) A member when seconding a resolution or amendment may, if he then declare his intention to do so, reserve his speech until a later period of the debate.
- (c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- (d) No speech by a mover of a proposition shall exceed 3 minutes, and no other speech shall exceed 2 minutes except by the consent of the Council.
- (e) 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.
- (f) An amendment shall not have the effect of negating the motion before the Council.
- (g) If an amendment be carried, the proposition, as amended, shall take the place of the original proposition and shall become the proposition upon which any further amendment may be moved.
- (h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved .
- (i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding 2 minutes.
- (j) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- (k) A member may rise to make a point of order or a personal explanation. A member rising for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.
- (l) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- (m) When a resolution is under debate no other resolution shall be moved except the following:-
- (i) To amend the resolution
 - (ii) To proceed to the next business
 - (iii) To adjourn the debate
 - (iv) That the question now be put
 - (v) That a member named do leave the meeting
 - (vi) That a member named be not further heard
 - (vii) That the resolution be referred to a committee
 - (viii) To exclude the public and press
 - (ix) To adjourn the meeting.

- 25 (a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed. (b) Members shall address the Chairman. Whenever the Chairman rises during a debate all other members shall be seated and silent.

CLOSURE

- 26 At the end of any speech a member may, without comment move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded the Chairman shall put the motion but, in the case of a motion "to put the question", only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived.
The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

DISORDERLY CONDUCT

- 27 (a) 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 scandalise the Council or bring it into contempt or ridicule.
- (b) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (a) 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, and the motion, if seconded, shall be put forthwith and without discussion.
- (c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT OF REPLY

- 28 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.

ALTERATION OF RESOLUTION

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

RESCISSION OF PREVIOUS RESOLUTION

- 30 (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except by a special resolution, the written notice whereof bears the names of at least 6 members of the Council.
When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

VOTING ON APPOINTMENTS

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

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

32 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 has decided that the public shall be excluded. (See standing Order 57).

RESOLUTIONS ON EXPENDITURE

33. Any resolution which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another committee after recommendation by the Finance Committee and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon and the Finance Committee shall report on the financial aspects of the matter.

EXPENDITURE

34 Orders for the payment of money shall be authorised by 2 signatories of the Council. Clerk delegated powers up to £1,000 with tenders requested for purchases over £5,000.

SEALING OF DOCUMENTS

35 A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

COMMITTEES AND SUB-COMMITTEES

36 The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, 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, and
- (b) may subject to the provisions of Order 30 above at any time dissolve or alter the membership of a committee.

37 The Chairman and Vice-chairman shall be members of every committee.

38 Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-chairman who shall hold office until the next Annual Meeting of the Council.

39 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.

40 Every committee may appoint sub-committees for purposes to be specified by the committee.

41 The Chairman and Vice-chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

42 Except where ordered by the Council, the sub committee should report with recommendations to Full Council. The quorum of a committee or sub-committee shall be a third of its members.

VOTING IN COMMITTEES

43 Members of committees and sub-committees shall vote by show of hands, or, if at least two members so request, by signed ballot.

44 Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

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

ACCOUNTS AND FINANCIAL STATEMENT

46 (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 Chairman or Vice-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.

ESTIMATES

47 (a) The Council shall approve written estimates for the coming financial year at its meeting in the month of January.

(b) Any committee other than the Finance Committee desiring to incur expenditure shall, not later than 31 October, give to the Clerk a written estimate of the expenditure recommended for the coming year. The budget will be set during January.

INTERESTS

48 If any member has any financial or other personal or prejudicial interest within the meaning of Sections 51 and 81 of the Local Government Act 2000 and The Parish Councils (Model Code of Conduct) Order 2001, in any matter, he shall, while it is under consideration by the Council, disclose to the meeting the existence and nature of the *personal interest*, or withdraw from the room where the meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless she/he has obtained a dispensation from the standards committee of the responsible authority, and not seek improperly to influence a decision about that matter.

49 The Clerk shall maintain a copy of the Register of Members Interests.

50 If a candidate for any appointment under the Council is to his knowledge

related to any member of the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed the member shall not participate in the selection process. The Clerk shall make known the purport of this Standing Order to every candidate.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

51 (a) Canvassing of members 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.

(b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

52 Standing Orders Nos. 50 and 51 shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

53 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.

54 All minutes other than confidential kept by the Council and by any committee shall be open for the inspection of any member of the Council or Public.

UNAUTHORISED ACTIVITIES

55 No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council

(a) Inspect any lands or premises which the council has a right or duty to inspect; or

(b) issue orders;

unless authorised to do so by the Council or the relevant committee or sub-committee

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

56 The public shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public by means of the following resolution, viz:

"That in view of the (special) (confidential) nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw."

(Notes: The special reasons should be stated. Circular 1/86 issued by the National Association deals

with the situation where it is likely to be desirable to exclude the public. If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed.)

- 57 The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 58 If a member of the public interrupts the proceedings at any meeting, the chairman may, after warning, order that he be removed from the Council Chamber.

CONFIDENTIAL BUSINESS

- 59 (a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- (b) Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

LIAISON WITH DISTRICT COUNCILLORS

- 60 A notice of meetings shall be sent together with an invitation to attend to the District Councillors for the wards of the Parish.

CODE OF CONDUCT ON COMPLAINTS

- 61 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended in circular 2/86 issued by the National Association of Local Councils.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 62 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.
- 63 A copy of these Standing Orders shall be given to each member by the Clerk on receipt of the member's declaration of acceptance of office.

Revised by Council 12/7/11