

STANDING ORDERS

Section One - Meetings

1. MEETINGS

- 1.1 Meetings of the Council shall be scheduled bi-monthly, on the third Thursday of the month in January, March, May, July, September and November. Extraordinary Parish Council meetings will be scheduled as required.
- 1.2 In addition to the statutory Annual Parish Council Meeting, at least three other ordinary meetings must be held in each year, in accordance with Standing Order 1.1 at such times and at places as the Council may direct.

2. THE STATUTORY ANNUAL MEETING

- 2.1 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;
- 2.2 In a year that is not an election year, the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.
- 2.3 At each Annual Parish Council Meeting the order of business shall be as follows:
- To elect a 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.
 - To elect a Vice-Chairman of the Council.
 - To receive the Vice-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 nomination.
 - To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
 - To appoint committees and sub-committees where required.
 - To review these Standing Orders and agree amendments where required.
 - To review the Financial Regulations and agree amendments where required.
 - To review the Council's risk assessment policies and agree amendments where required.
 - To review the Clerk's terms of remuneration in accordance with the guidelines provided by the National Association of Local Councils.
 - Business shall thereafter follow the order set out in the Standing Order 7.

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.
See also standing orders 6.3.2, 6.3.3 and 7.1.

4. PROPER OFFICER

- 4.1 Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he or she shall be the Clerk:
- 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 or other documents on behalf of the Council.
 - To receive copies of bylaws made by another local authority.
 - To certify copies of bylaws made by the Council.
 - To sign and issue the request to attend meetings of the Council.
 - To keep proper records for all Council and committee meetings.
- 4.2 The Clerk shall also be the Responsible Financial Officer for the Council, and ensure that the Council's Financial Regulations are adhered to.
- 4.3 The Clerk shall be given the delegated power to deal with items of business arising between meetings of the Council or under Standing Order 7.4.2. Any decisions taken by the Clerk must be in consultation with the Chairman and be reported to the next ordinary meeting of the Council.
Any expenditure incurred as a result of delegated decisions taken by the Clerk must be in line with Financial Regulation 6.5.

5. QUORUM OF THE COUNCIL

- 5.1 Three members or one third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.
- 5.2 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 either:
- be adjourned and business not transacted shall be transacted at the next meeting or;
 - prepare a resolution for consideration at the next meeting.
- 5.3 A quorum for a committee or sub-committee shall be calculated by the same process as in Standing Order 5.1

6. VOTING

- 6.1 Members of the Council shall vote by show of hands, or if at least two members so request, by signed ballot.
- 6.2 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.
- 6.3.1 Subject to 6.3.2 and 6.3.3 below, where the voting at a meeting of the Parish Council is equal, the Chairman, or the person presiding in his place, has a second or casting vote.
- 6.3.2 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 Vice Chairman until the end of their term of office, they may not give an original vote in an election for Chairman.
- 6.3.3 The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

7. ORDER OF BUSINESS

- 7.1 At every meeting other than the Annual Parish Council 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. If not then received, to decide when they shall be received.
- 7.2 After the first business has been completed, the order of business, unless the Council decides otherwise on the grounds of urgency, shall be as follows:
- a) To receive and accept any apologies from Councillors.
 - b) To receive and record any declarations of interest in items shown on the agenda for the meeting.
 - c) To read and consider the minutes from the last meeting of the Council.
 - d) After consideration to approve the signature of the minutes by the person presiding at the current meeting, as a correct record, or agree any amendments which are to be made ready for approval at the next full meeting of the Council.
 - e) To deal with business expressly required by statute to be done.
 - f) To dispose of business, if any, remaining from the last meeting.
 - g) To receive an update from the Clerk on any works in progress.

 - h) To receive and consider resolutions or recommendations in the order in which they have been notified.
 - i) To agree the date for the next meeting of the Council.
 - j) Items of business brought to the meeting without prior notice (i.e. Any Other Business), may be discussed, but no decision taken before notice being given in time for the next full meeting of Council.
- 7.3 All meetings of the full Council, and of any committee or sub-committee should aim to be no more than two hours in duration. In the event of a meeting lasting for longer than this period, a comfort break of ten minutes will be included at the Chairman's discretion.

7.4 URGENT BUSINESS

- 7.4.1 A motion to vary the order of business on the grounds of urgency:
- a) May 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.

An item shall be included at the end of the agenda for each ordinary meeting giving an opportunity for items of business not included on the agenda to be discussed. Such items may be raised by Councillors or by members of the public and may be dealt with under Standing Order 4.

8. RESOLUTIONS MOVED ON NOTICE

- 8.1 Except as provided by these Standing Orders, no resolution may be moved unless the Clerk has put the business to which it relates on the Agenda.
- 8.2 Notice of business and resolutions should be given in writing to the Clerk at least three clear days before the next meeting of the Council, except for 7.2j.
- 8.3 The Clerk shall insert in the request for every meeting all notices of business and resolutions unless the member giving notice of motion has stated in writing that they intend to move at some later meeting or that they withdraw it.

- 8.4 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. 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.
- 8.5 Every resolution or recommendation shall be relevant to some subject over which the Council has powers or duties, which affects the parish.
- 8.6 All items of business which require a decision, must be agreed by means of a resolution being proposed and seconded, and then voted upon by a show of members' hands.

9. RESOLUTIONS MOVED WITHOUT NOTICE

Resolutions dealing with the following matters may be moved without notice:

To appoint a Chairman of the meeting.

To correct the Minutes

To approve the Minutes

To alter the order of business.

To proceed to the next business.

To close or adjourn the debate.

To refer a matter to a committee.

To appoint a committee or any members thereof.

To adopt a report.

To authorise the sealing of documents.

To amend a motion.

To give leave to withdraw a resolution or amendment.

To extend the time limit for speeches / presentations.

To exclude the press and public (see Standing Order 12 below).

To silence or eject from the meeting a member named for misconduct. (See Standing Order 14).

To give the consent of the Council where such consent is required by these Standing Orders.

To suspend any Standing Order (see Standing Order 25.3 below).

To adjourn the meeting.

10. QUESTIONS

- 10.1 A member may ask the Chairman of the Meeting or the Clerk any question concerning business of the Council.

- 10.2 A person to whom a question has been put may decline to answer.

11. RULES OF DEBATE

- 11.1 A resolution or amendment shall not be discussed unless proper notice of the business to which it relates has been given. It shall if required by the Chairman or Clerk, be formulated in writing and handed to the Clerk before it is discussed or put to the meeting.

- 11.2 A member shall direct any comments to the question under discussion or to a personal explanation or to a question of order.

- 11.3 An amendment shall be either:
- a) To leave out words.
 - b) To leave out words and insert others.
 - c) To insert or add words.
 - d) To change order of words.
- 11.4 An amendment shall not have the effect of negating the resolution before the council.
- 11.5 The proposer may withdraw a motion or amendment.
- 11.6 When a resolution or item of business is being debated, no other resolution or item of business shall be moved, except the following:
- To amend the resolution.
 - To proceed to the next business.
 - To adjourn the debate.
 - That the resolution be now put.
 - That a member named be not further heard.
 - That a member named leave the meeting.
 - That the resolution be referred to a committee.
 - To exclude the public and press.
 - To adjourn the meeting.
- 11.7 The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- 11.8 Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide whom to call upon.
- 11.9 At the end of any speech a member may move ‘that the resolution now be put’, that ‘the debate be now adjourned’, or ‘that the Council do now adjourn’.
- The Chairman shall only put the resolution to a vote when he is of the opinion that the question before the Council has been sufficiently debated.
- 11.10 Any member of the public, who has proposed an item of business may explain the business to the Council at the discretion of the Chairman. Please refer to Standing Order 8.2.
- 11.11 The mover of a resolution shall have a right to reply immediately before the resolution 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.
- 11.12 A member may, with the consent of his seconder, move amendments to his own resolution.
- 11.13 A decision (whether affirmative or negative) of the Council shall not be reversed within six months, except by:
- a) A special resolution, the written notice of which bears the names of at least a quorum of the Council, or
 - b) By a resolution moved in pursuance of the report or recommendation of a committee.

When a special resolution or any other resolution moved under the provisions of Standing Order 11.13, of these Standing Orders has been disposed of, no similar resolution may be moved within a further six months.

12. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

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

That in the view of the special / confidential 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.

12.2 The Council shall state the special reason for exclusion.

12.3 At all meetings of the Council, the Chairman may, at his discretion, and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.

12.4 There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

12.5 If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that they be removed from the meeting and may adjourn the meeting for such a period as is necessary to restore order.

13. CONFIDENTIAL BUSINESS

13.1 No member of the Council, or any member of a committee or sub-committee, shall disclose to any person not a member of the Council any business declared to confidential by the Council, committee or sub-committee as the case may be.

13.2 Any member in breach of the provisions of Standing Order 13.1 shall be removed from any committee of the Council, by the Council.

14. DISORDERLY CONDUCT

14.1 All members must observe the Code of Conduct, which was adopted by the Council, a copy of which is available from The Clerk.

No member at a meeting shall 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.

14.3 If, in the opinion of the Chairman, a member has broken the provisions of Standing Order 14.2, the Chairman shall express that view to the Council. Thereafter, any member may move that the named member be no longer heard, or that the member named does leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the suspected breach to the Standards Board of England.

14.5 If either of the motions mentioned in Standing Orders 14.3 and 14.4 are disobeyed, the Chairman may adjourn the meeting, or take such further steps as may reasonably be necessary to enforce them.

Section Two – Committees and Sub Committees

15. COMMITTEES AND SUB COMMITTEES

- 15.1 The Council may, at its Annual Meeting appoint standing committees, and may at any other time appoint such other committees as are necessary, but subject to the following statutory provisions:
- a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
 - b) May appoint persons other than members of the Council to any committee.
 - c) May, subject to the provisions of Standing Orders 11.13 a and b, at any time dissolve or alter the membership of the committee.
- 15.2 Either, or both, the Chairman or Vice – Chairman, ex-officio, shall be a voting member (s) of every committee.
- 15.3 Every committee shall, at its first meeting, before proceeding to any other business, elect a Chairman and may elect a Vice – Chairman if required.
- 15.4 Every committee shall, upon creation by the Council, be given a written statement of its roles and responsibilities.
- 15.5 Every committee shall, upon creation by the Council, be given in writing, details of its spending powers. Every payment made by a committee shall be made in accordance with the accounting process laid out in the Council's Financial Regulations. The Responsible Financial Officer shall undertake the committee's accounting, and shall keep Council informed of payments made and any monies received.
- 15.6 Any resolution which if carried would, in the opinion of the Chairman of the committee in question, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of the Council, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
The committee proposing the resolution shall consider whether it wishes to report thereon, and shall be given such opportunity by the Council.
- 15.7 Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.
- 15.8 Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.
- 15.9 A member (of either the Council or the public), who has proposed an item of business or resolution, which has been referred to any committee of which they are not a member, may explain their business or resolution to the committee, but shall not vote.
- 16. SUB - COMMITTEES**
- At such point as Grantley, Sawley, Skelding and Eavestone Parish Council wishes to appoint a sub-committee, a review of these standing orders will be undertaken, with a view to including Standing Orders relevant to sub-committees.

17. ADVISORY COMMITTEES

- 17.1 The Council may create advisory committees, whose name, and number of members shall be specified.
The Clerk shall inform members of each advisory committee of the terms of reference of the committee.
- 17.3 An advisory committee may make recommendations and give notice thereof to the Council.
- 17.4 An advisory committee may consist wholly of persons who are not members of the Council.

Section Three – Other Council Business

18. EMPLOYEES OF THE COUNCIL

- 18.1 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 Chairman shall have a casting vote.

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council, or committee (as the case may be) has decided whether or not the press and public shall be excluded (see Standing Order 12).

- 18.3 Canvassing of members of the Council, or of any committee, shall disqualify the candidate for such appointment.
- 18.4 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.
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.
- 18.5 Standing Orders 18.3, 18.4 and 19.4 shall apply to tenders as if the person making the tender were a candidate for an appointment.

19. INTERESTS

- 19.1 If a member has a personal interest as defined by the Code of Conduct and adopted by the Council, then they shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- 19.2 If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.
- 19.3 The Clerk may be required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and / or as required by statute.

- 19.4 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, they and the person to whom they are related shall disclose the relationship to the Clerk.
Where a relationship to a member is disclosed, Standing Orders 19.1, 19.2 and 19.3 shall apply.

20. INSPECTION OF DOCUMENTS

- 20.1 A member may, for the purpose of their 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.
- 20.2 All minutes kept by the Council shall be open for the inspection of any member of the Council or member of the public.
- 20.3 The Council is aware of its statutory duties under the Freedom of Information, and will accordingly meet those responsibilities as required.

21. ACCOUNTS, EXPENDITURE AND FINANCIAL STATEMENT

Reference should be made to the Council's Financial.

22. UNAUTHORISED ACTIVITIES

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;
- b) Issue orders, instructions or directions.

23. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

An agenda, together with an invitation to attend, for each meeting shall be sent to the County and Borough Councillor for the appropriate division or ward. The minutes of all full Council meetings shall also be sent to such Councillors.

24. PLANNING APPLICATIONS

- 24.1 The Clerk shall, as soon as it is received, enter in a register kept for the purpose, the following particulars of every planning proposal notified to the Council:
- The application number.
 - The location of the application.
 - The applicant's name.
 - Summary of the proposal.
- 24.2 The Clerk will determine the nearest village (Grantley, Sawley, Skelding, Eavestone or Risplith) to the application site and will begin circulating the application to the Councillor(s) living in that village within 48 hours of receipt.
- 24.3 The Clerk, in consultation with the relevant Councillors as detailed in 24.2, will respond to the relevant planning authority on behalf of the Parish Council. This will be undertaken as an action delegated by the Council to the Clerk.
- 24.4 The following information for each application considered will be recorded in the minutes of the next full Parish Council meeting:
Any comments, including declarations of interest, on the proposal.
The response that was returned to the planning authority.
The decision on the application received from the planning authority (to be recorded in the minutes from the meeting after the decision is received by the Parish Council).

- 24.5 In the event of an application for ‘major’ development being received or an application that is likely to be of significant local interest an extraordinary meeting of the Council will be called to formulate the Council’s response.

Section Four – Conclusion

VARIATION, REVOCATION, AND SUSPENSION OF STANDING ORDERS

- 25.1 A resolution to permanently add to, vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next Annual Parish Council Meeting.
- 25.2 These Standing Orders shall be reviewed once per year at The Annual Parish Council Meeting. The Chairman of that meeting shall sign to signify that such a review has been carried out. Any amendments or additions to these Standing Orders shall be attached to the end of this document.
- 25.3 Any or every part of the Standing Orders, except those as required by statute, may be suspended by resolution in relation to any specific item of business.

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 / her 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 prepared by Iona Appleyard, Clerk to Tanfield Parish Council.

Signed:

Dated:

These Standing Orders were adopted by the Council at its meeting as dated below:

Signed:

(Chairman)

Dated: