



Cropwell Bishop Parish Council

STANDING ORDERS

ADOPTED MAY 2006

LAST REVIEW FEBRUARY 2016

PREFACE

Some of the following Standing Orders are compulsory as they are laid down in Acts of Parliament. These are printed in **BOLD** type. These Standing Orders cannot be altered.

1. MEETINGS

- 1.1. Meetings of the council shall be held on the first Tuesday of every month at 7.30pm at The Old School, except August when the meeting may not be called and January will be the second Tuesday in the month.
- 1.2. Meetings will not normally exceed 2 hours in length. A particular meeting may be temporarily extended for a specified period with the support of two thirds of the members present.
- 1.3. The Clerk will draw up the agenda in consultation with the Chairman. Notice of motions from councillors can be given at the preceding meeting otherwise they shall be in writing or email and must be received by the Clerk at least 7 clear days before the day of the meeting. The Clerk will send out formal notice of the meeting to all members at least 3 clear days prior to the meeting.
- 1.4. **The Statutory Annual Meeting (a) in an election year shall be held within fourteen days after the election and (b) in a year, which is not an election year, shall be held on the first Tuesday in May.**
- 1.5. **Councillors and members of the public are permitted to film or record meetings to which they are permitted access, in a non-disruptive manner, Councillors from their place at the table and members of the public only from the public area. (see Policy for Broadcasting or using Social Media at Council Meetings).**

2. CHAIRMAN OF MEETING

- 2.1 The elected Chair will preside at all meetings unless disqualified from acting because of prejudicial interests, in the absence of the Chair; the Vice Chair shall preside over the meeting.
- 2.2 **The person presiding at a meeting may exercise all powers and duties of the Chairman in relation to the conduct of the meeting.**

3. PROPER OFFICER

- 3.1. Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he or she shall be the Clerk:-
 - 3.1.1. To receive declarations of acceptance of office.
 - 3.1.2. To receive and record notices disclosing pecuniary interests.
 - 3.1.3. To receive and retain plans and documents.
 - 3.1.4. To sign notices and other documents on behalf of the Council.
 - 3.1.5. To receive copies of bye-laws made by a District Council.
 - 3.1.6. To certify copies of bye-laws made by Council.
 - 3.1.7. To sign summonses to attend meetings of the Council.
 - 3.1.8. To authorise or incur expenditure from agreed budgets on minor matters between meetings on works needing urgent attention.
- 3.2. In any other case the proper officer shall be the Clerk.

4. QUORUM

- 4.1. **Three members shall constitute a quorum. (Three being one third of Council members) or where some members are disqualified from acting because of prejudicial interests, then one-third of the remainder, but in no case less than three.**
- 4.2. If a quorum is not present when the Council meets or if during a meeting the number of councillors present and not debarred by reason of declared pecuniary interest, falls below the quorum. The business not transacted at that meeting shall be transacted at the next meeting or on such day as the Chairman may fix.

5. VOTING

- 5.1. **Members shall vote by show of hands or, if at least two members so request, by signed ballot.**
- 5.2. **If a member so requires, the Clerk shall record the names of the members who votes on any question so as to show whether they voted for or against it.**
 - 5.2.1. **Subject to (5.2.2) and (5.2.3) 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 he gave no original vote.**
 - 5.2.2. **If the person presiding at the Annual Meeting would have ceased to be a member of the council but for statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term in office he/she may not give an original vote in an election for Chairman.**
 - 5.2.3. **The Person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**
- 5.3 **A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except by a special motion, the written notice whereof bears the names of at least (5) councillors of the Council**

6. ORDER OF BUSINESS

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

- 6.1. **At each Annual Meeting the first business shall be:**
 - 6.1.1. **To elect a Chairman.**
 - 6.1.2. **To receive the Chairman's Declaration of Acceptance of office or, if not received, to decide when it shall be received.**
 - 6.1.3. To elect a Vice-Chairman.
 - 6.1.4. There will be no appointments of committees, only working party meetings are required.
- 6.2. **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 law to be made, or if not then received to decide when they shall be received**
- 6.3. 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 11 below.)*
- 6.4. After the first business has been considered, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:-
 - 6.4.1. 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.
 - 6.4.2. **After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
 - 6.4.3. **To deal with business expressly required by statute to be done.**
 - 6.4.4. To dispose of business, if any, remaining from the last meeting.
 - 6.4.5. To receive such communications as the person presiding may wish to lay before the Council.
 - 6.4.6. To answer questions.
 - 6.4.7. To receive and consider reports from working parties.
 - 6.4.8. To receive and consider reports from officers of the Council.
 - 6.4.9. To authorise the signing of orders for payment.
 - 6.4.10. Any other business specified in the summons.
- 6.5. A motion to vary the order of business on the ground of urgency
 - 6.5.1. 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
 - 6.5.2. Shall be put to the vote without discussion.

7. RESOLUTIONS WITHOUT NOTICE

- 7.1. Resolutions dealing with the following matters may be moved without notice:-
- 7.1.1. To appoint a Chairman of the meeting.
 - 7.1.2. To correct the Minutes.
 - 7.1.3. To approve the Minutes.
 - 7.1.4. To alter the order of business.
 - 7.1.5. To proceed to the next business.
 - 7.1.6. To close or adjourn the debate.
 - 7.1.7. To adopt a report.
 - 7.1.8. To amend a resolution.
 - 7.1.9. To give leave to withdraw a resolution or an amendment,
 - 7.1.10. To exclude the public.
(See *Standing Order 20.1 below.*)
 - 7.1.11. To silence or eject from the meeting a member named for misconduct.
(See *Standing Order 9 below.*)
 - 7.1.12. To invite a member having an interest in the subject matter under a debate to remain.
(See *Standing Order 16.1 below.*)
 - 7.1.13. To give the consent of the Council where such a consent is required by these Standing Orders.
 - 7.1.14. To suspend any Standing Order.
(See *Standing Order 27.1 below.*)

8. CORRECTIONS TO MINUTES

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

9. DISORDERLY CONDUCT

- 9.1. 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.
- 9.2. If, in the opinion of the Chairman, a member has broken the provision of item (9.1) of this Order, the Chairman shall express the 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.
- 9.3. If either of the motions mentioned in item (9.2) is disobeyed, the Chairman may suspend the meeting or take such further steps as may be reasonably necessary to enforce them.
- 9.4. All members must observe the Code of Conduct which was adopted by the Council on May 15th 2007.

10. VOTING ON APPOINTMENTS

- 10.1. 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 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.

11. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

- 11.1. 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 has decided whether or not the public shall be excluded (*See Standing Order 20.1.*)

12. EXPENDITURE

- 12.1. **Orders for the payment of money shall be authorised by resolution of the Council and signed by two members under Section 6 of the Financial Regulations.**

13. COMMITTEES AND SUB-COMMITTEES

- 13.1. There will be no Committees; working parties may meet to discuss issues before being brought to a Council meeting for decision.
- 13.2. Each working party shall consist of a minimum of 5 councillors. Items requested to be put on the agenda by an individual councillor shall be discussed at that meeting and then decided whether a working party is necessary to then carry out research.

14. ACCOUNTS AND FINANCIAL STATEMENT

- 14.1. As laid down in the Financial Regulations or:-
 - 14.1.1. Except as provided in item (14.1.2) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
 - 14.1.2. 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 Clerk and approved by the Chairman. All cheques to be signed by two Councillors.
 - 14.1.3. All payments ratified under item (14.1.2) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.
- 14.2. The Clerk shall supply to each member at the next ordinary meeting after the end of the Financial Year a statement of receipts and payments.
- 14.3. Counter proposals regarding expenditure – All amended proposals to the Agenda item must be presented to Council a) Stating specification, b) Alternative Cost, c) Alternative Supplier.

15. ESTIMATES

- 15.1. The Council shall approve written estimates for the coming financial year as directed in section 2 of the Financial Regulations.

16. INTERESTS

- 16.1. If any member has any pecuniary interest, direct or indirect, within the meaning of section 94-95 of the Local Government Act, 1972, in any contract, proposed contract or other matter, he/she shall while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in section 97(b) or:-
 - 16.1.1. The disability imposed upon him/her by those sections has been removed by the District Council; or
 - 16.1.2. The Council invite him to remain; or
 - 16.1.3. The contract, proposed contract or other matter is under consideration as part of the report of a working party and is not itself the subject of debate.
- 16.2. **The Clerk shall record declared interests in the meeting minutes.**
- 16.3. If any member has a non-pecuniary interest within the ambit of the National Code of Local Government Conduct he/she shall, having declared it, be invited to withdraw from the meeting.
- 16.4. If a candidate for any appointment under the Council is to his knowledge related to any member of or holder of any office under the Council, he/she and the person to whom he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council any such disclosure. Where relationship to a member is disclosed Standing Order 16.3 shall apply.

17. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- 17.1. Canvassing of members, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment.
- 17.2. 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 for submission to the Council with an application for appointment.

18. INSPECTION OF DOCUMENTS

18.1. A member may for any purpose of his duty as such (but not otherwise), inspect any document in the possession of the Council, and if copies are available shall, on request, be supplied for the like purpose with a copy.

18.2. **All Minutes kept by the Council shall be open for the inspection of any member of the Council.**

19. UNAUTHORISED ACTIVITIES

19.1. No member of the Council shall in the name of or on behalf of the Council

19.1.1. Inspect any lands or premises which the Council has a right or duty to inspect; or

19.1.2. Unless authorised to do so by the Council.

19.1.3. Issue orders, instructions or directions unless authorised to do so by the Council.

20. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

20.1. **The public and press shall be admitted to all meetings of the Council, which may, however, temporarily exclude the public and press** 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 situations 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.)

20.2. In accordance with 20.1 The Clerk shall afford the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

20.3. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he/she be removed from the Council meeting.

20.4. Twenty minutes will be the time set aside to receive statements from the public, and any one member of the public shall have three minutes to deliver their statement. The local Beat Manger or the Police Liaison Officer shall have 10 minutes to deliver any updates on local policing issues.

20.5. In accordance with 20.1 above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.

20.6. Any person speaking at a meeting shall address his comments to the Chairman.

20.7. 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.

21. CONFIDENTIAL BUSINESS

21.1. No member of the Council shall disclose to any person not a member of the Council any business declared to be confidential by the Council.

21.2. Any member in breach of the provision of item (21.1) of this Standing Order shall be removed from the Council by the Council.

22. LIAISON WITH DISTRICT & COUNTY COUNCILLORS

22.1. A notice of meeting shall be sent together with an invitation to attend to District and County Councillors for the parish.

23. PLANNING APPLICATIONS & EXTRAORDINARY MEETINGS

23.1. Minor planning applications in need of comment before the next scheduled meeting are delegated to the Clerk after consultation with at least three members and the Chairman. All members must take the same view, any dissent and an extraordinary meeting must be called.

23.2. Pursuant to schedule 12 of the Local Government Act 1972, an extraordinary meeting may be called at any time by the Chairman of the council. Extraordinary meetings may be occasioned by urgent or unforeseen business which must be completed before the next ordinary meeting of the council.

23.3. If the Chairman does not or refuses to call an extraordinary meeting of the council within 7 days of having been requested by to do so by two councillors, those two councillors may convene a 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 who convened the meeting. S12 LGA Para 9(2) and 10 (2).

24. STANDING ORDER ON CONTRACTS

- 24.1. Where it is intended to enter into a contract exceeding £1,000 the Clerk shall source quotations from at least three firms.
- 24.2. Where it is intended to enter into a contract exceeding £40,000 the Clerk shall invite tenders from a least three firms.
- 24.3. Tenders shall be opened by the Clerk
- 24.4. The Council is not bound to accept the lowest tender.
- 24.5. If no tenders are received or if all tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the work as it thinks fit.

25. CODE OF CONDUCT ON COMPLAINTS

- 25.1. 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.

26. GRIEVANCE AND APPEALS PANELS

- 26.1 The Grievance and Appeals Panels as required by the Contracts of Employment will be formed by, Grievance Panel will consist of the four members whose names are the first four when listed alphabetically. The Appeal Panel will consist of the next four members.

27. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 27.1. Any or every part of the Standing Orders, except those printed in **bold type**, may be suspended by resolution in relation to any specific item of business.
- 27.2. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded at any meeting.

28. STANDING ORDERS TO BE GIVEN TO MEMBERS

- 28.1. 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.

29. MODEL STANDING ORDERS

- 29.1. As best practice, whereby any matter not covered in these Standing Orders and requires further guidance, the Model Standing Orders provided by The National Association of Local Council shall be adopted.