INGWORTH PARISH COUNCIL

STANDING ORDERS

Last Reviewed: 11th November 2021
Next Review: November 2024

Some of the 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.

INGWORTH PARISH COUNCIL

STANDING ORDERS

1. **The Statutory Annual Meeting**

   a) **In an election year shall be held on or within 14 days following the day on which the councillors elected take office. And**
   b) **In a year which is not an election year shall be held on such day in May as the Council may direct.**

2. **(England Only) In addition to the Statutory Annual Meeting at least three other statutory meetings shall be held in each year on such date and times and at such place as the Council may direct.**

3. **Chair of the Meeting**

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

   a) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.
   b) Members shall address the meeting through the Chair.

4. **Quorum of the Council**

   Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum. (The quorum for Ingworth Parish Council shall be 3). If a quorum is not present, or if during a meeting the number of Councillors present falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting.

5. **Voting**

   If a member so requires, the Clerk/RFO 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 may be made before or after the vote but in any event before moving onto the next business.

6. **(1) Subject to (2) and (3) below the Chair 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 s/he gave an 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 Chair and Vice-Chair until the end of their term of office s/he may not give an original vote in an election for Chair.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.

7. <u>Order of Business</u>

At each Annual Meeting the first business shall be:

a) To elect a Chair of the Council.
b) To receive the Chair's declaration of acceptance of office or, if not then received, to decide when it shall be received.
c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
d) To decide when any declarations of acceptance of office and written undertakings to comply with the Code of Conduct adopted by the Council which have not been received as provided by law shall be received.

8. a) At every meeting other than the Annual Meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair 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.
b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
c) To deal with business expressly required by statute to be done.

9. <u>Resolutions moved on Notice</u>

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/RFO or the mover has given notice in writing of its terms and has delivered the notice in writing of its terms and has delivered the notice to the Clerk/RFO at least seven clear days before next meeting.

10. <u>Resolutions moved without Notice</u>

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

To appoint a Chair 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 or meeting.
To adopt a report.
To authorise the sealing of documents.
To amend a resolution.
To exclude the public.
To silence or eject a member named for misconduct.
To invite a member having an interest in the subject matter under debate to remain.
To give consent of the Council where such consent is required by these Standing Orders.

11. Rules of Debate

No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution.

12. Resolutions Under Debate

When a resolution is under debate no other resolutions shall be moved except the following:-

To amend the resolution.
To proceed to the next business.
To adjourn the debate.
That the question be now put.
That a member be not further heard.
That a member named do leave the meeting.
To exclude the public and press.
To adjoin the meeting.

13. Disorderly Conduct

a) All members must behave in a manner required by the Code of Conduct.

b) No members shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business or behave irregularly, offensively, improperly or in such a manner as to bring the Council into contempt or ridicule.

c) If, in the opinion of the Chair, a member has broken the provisions of paragraph (a) of this Order, the Chair shall express that opinion to the Council and thereafter any member may move that the member 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.

d) If either of the motions mentioned in paragraph (b) is disobeyed, the Chair may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

14. Rescission of previous resolution

a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution the written notice whereof bears the names of at least FIVE members of the Council.
b) When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolutions may be moved within a further six months.

15. 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 off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

16. Expenditure

Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

17. Sealing of Documents

Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this Order may seal, on behalf of the Council, any document required by law to be issued under seal.

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

19. Accounts & Financial Statement

(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 officers (Chair & Clerk/RFO).
(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.
(d) The Clerk/RFO shall supply to each member at the ordinary meeting next after the end of the Financial Year a statement of receipts and payment.

20. Interests (ENGLAND)

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

21. If a member who has declared a personal interest then considers the interest to be prejudicial, s/he must withdraw from the meeting during consideration of the item to which the interest relates (see also 30 – councillors' rights as the public).

22. <u>Interest (WALES)</u>

If a member has a personal interest as defined by the Code of Conduct then that interest must be declared and a decision made by the member whether to stay or withdraw.

23. All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

24. <u>Unauthorised Activities</u>

No member of the Council or 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, instruction or directions, or

(c) Make statements on behalf of the Council or on its decisions, unless authorised to do so by the Council.

25. <u>Admission of the Public and Press to Meetings</u>

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 resolutions:

'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 be instructed to withdraw'.

26. <u>Confidential Business</u>

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.

27. The Clerk/RFO shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present. A person may not orally report or comment about a meeting as it takes place if he is present but he may:

*** Film, photograph or make an audio recording of a meeting;**

*** Use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;**

*** Report or comment on the proceedings in writing during or after a meeting or orally report on comments after the meeting**

28. Variation, Revocation and Suspension of Standing Orders

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.

29. General

Any Councillor who harasses, annoys or causes distress to any Councillor or Council employee, shall on two thirds majority of the Councillors be instructed that other than Council meetings s/he may only approach a nominated Councillor on Council business who will decide if action is warranted. Any breach of the order will result in the Council taking out a restraining injunction.

30. Public Participation

At all meetings of the Council the Chair, with the agreement of members, may at their discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public and those councillors with a prejudicial interest on items on the agenda to address the meeting in relation to the business to be transacted at that meeting.

31. Confidential Business

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.

32. General Data Protection Regulations

The Council is registered with the Information Commissioners Office, and has a current General Data Protection Policy in place. The Parish Councillors are data processors and the Clerk is the Data Processing Officer. All Councillors must be data protection aware.