

BOXFORD PARISH COUNCIL

STANDING ORDERS

1. Meetings

- a) Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.
- b) Smoking is not permitted at any meeting of the Council.

2. The Statutory Annual Meeting

- a) **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**
- b) **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.**
- c) **(England Only) 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, he shall be the clerk unless otherwise agreed.

5. Quorum

Three members shall constitute a quorum. If a quorum is not present when the Council meets or if during a meeting the numbers of councillors present and not debarred by reason of a declared prejudicial 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 shall determine.

6. Voting

Members shall vote by 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.

- (a) **Subject to (b) and (c) below 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.**
- (b) **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.**
- (c) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

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7. Order of Business

The order of business shall be stated on an Agenda paper, which shall be delivered to each member at least 3 clear days prior to the date of the meeting along with the summons convening the meeting.

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

- a) **To elect a Chairman of the Council**
- b) **To receive the Chairman'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 which have not been received as provided by law shall be received.**
- e) To elect a Vice-Chairman of the Council.
- f) To appoint representatives to outside bodies.

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 or, if not then received, to decide when they shall be received.

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 business expressly required by statute to be done.**

8. Urgent Business

A motion to vary the order of business on the ground 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.

9. Resolutions Moved Without Notice

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.

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- h) To appoint a committee or any members thereof.
- i) To adopt a report.
- j) To amend a motion.
- k) To give leave to withdraw a resolution or amendment.
- l) To exclude the press and public.
- m) To silence or eject from the meeting a member named for misconduct.
- n) To give the consent of the Council where such consent is required by these Standing Orders.
- o) To suspend any Standing Order.
- p) To adjourn the meeting.

10. Rules of Debate

- a) 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.
- b) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
- c) Whenever the Chairman speaks during a debate all other members shall be silent.

11. Disorderly Conduct

- a) **All members must observe the Code of Conduct which was adopted by the council on July 2012, a copy of which is annexed to these Standing Orders.**
- b) 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.**
- c) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (b) 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. **If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Standards Board (England) or the Local Commissioner (Wales).**
- d) If either of the motions mentioned in paragraph c is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

12. 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 has decided whether or not the press and public shall be excluded.

13. Special Meeting

The Chairman of the Council may summon an additional meeting of the Council at any time. An additional meeting shall also be summoned on the requisition in

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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.

14. Accounts and Financial Statement

- a) Except as provided in paragraph (c) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- b) Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.
- c) 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 (as the Responsible Financial Officer). Such payment shall be authorised with the approval of the Chairman or Vice-Chairman of the Council.

The Responsible Financial Officer shall supply to each member every alternate month a statement of accounts and updated budget. A Financial Statement prepared on the appropriate accounting basis (receipts and payments) for a year to 31 March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of September.

The council shall approve a budget for the coming financial year at its meeting before the end of the month of January.

15. Interests (ENGLAND)

If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 27th July 2007 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 has the same right as members of the public to speak on the issue but must withdraw from the room during consideration of the item and voting on the interest to which it relates.

The Clerk is 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. Members must keep their entry on the Register of Interests up to date, notifying any changes within 28 days.

16. 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.

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

17. Unauthorised Activities

No member of the Council shall in the name of or on behalf of the Council Issue orders, instructions or directions unless authorised to do so by the Council.

18. 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 [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”

The Council shall state the special reason for exclusion.

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.

The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. Arrangements for the televising and audio recording of Parish Council meetings must follow the protocol set out in Appendix A.

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

19. Confidential Business

- a) **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 or the 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 of the Council by the Council.

20. Liaison with County and District Councillors

A summons and Agenda for each meeting shall be sent, together with an invitation to attend, to the District Councillor for the appropriate ward.

21. Planning Applications

- a) The Clerk shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council:
 - i) the date on which it was received
 - ii) the name of the applicant

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- iii) the place to which it relates
- b) The Clerk shall refer every planning application received to the Chairman within 48 hours of receipt.

22 Financial Matters

The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

- 1) Such Regulations shall include detailed arrangements for the following:
 - a) the accounting records and systems of internal control;
 - b) the assessment and management of risks faced by the Council;
 - c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
 - d) the financial reporting requirements of members and local electors and
 - e) procurement policies (subject to (2) below) including the setting of values for different procedures where the contract has an estimated value less than £50,000.
- 2) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £1,000 shall be procured on the basis of a formal tender as summarised in (3) below.
- 3) Any formal tender process shall comprise the following steps:
 - a) A public notice of intention to place a contract to be placed in a local newspaper;
 - b) a specification of the goods, materials, services and the execution of works shall be drawn up;
 - c) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
 - d) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
 - e) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- 4) The Council, nor any Committee, is not bound to accept the lowest tender, estimate or quote.
- 5) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

(Note: Some Standing Order **must** be made for contracts for the supply of goods or the execution of works)

23. 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

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directed to the Standards Board (England) for consideration.

24. Variation, Revocation and Suspension of Standing Orders

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.

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.

25. 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.

Note: When a motion to adopt Standing Orders is finally put to the Council, it should be pointed out that any inconsistency with the Local Government Act 1972 and subsequent enactments is not intended and that if some inconsistency should arise the conditions of the said Act and subsequent enactments must apply.

Date adopted by Council...November 2014

Signed by Chairman

Appendix A

Protocol Relating to Televising and Sound Recording of Parish Council Meetings

The televising or sound recording of the Council's public meetings will be permitted, subject to the Protocol set out below. This is in accordance with guidance issued by the Department for Communities and Local Government in July 2013.

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1. Requests for permission to take visual or sound recordings should be submitted three clear working days before the date of the relevant meeting to the Clerk.
2. The Clerk shall advise the relevant Chairman or Vice- Chairman of the meeting of the request to record a meeting whether in audio or visual format.
3. Audio or Visual recordings will only be permitted for a public purpose.
4. Television crews or persons undertaking audio/visual recording shall comply with the requests of the Council as to arrangements for recording.
5. No audio or visual recording will be permitted, and persons present for those purposes will be required to leave the meeting, if a resolution is passed under Section 100A of the Local Government Act 1972 excluding the press and public from the meeting.
6. Members of the public who have given notice of their wish to speak at any public meeting shall be advised of the request to record the meeting and shall be able to decide to “opt out” of being recorded. This information will be relayed to the person wishing to record the meeting.
7. The Chairman shall be advised of any objections to being recorded by members of the public speaking and shall ensure that before debate commences on any item the meeting and public attending are absolutely clear about who can and cannot be recorded.
8. Recording must not cause any nuisance or interfere with any electronics or with the conduct of the meeting. In this situation the Chairman may ask for the person recording the meeting to cease this activity at any time.
9. No link will be permitted to the Council’s sound recording equipment; neither may any equipment be placed on tables within the area occupied by Members or Officers.
10. If there is a breach of this Protocol, the Chairman may at his or her discretion, after a warning, order that no further sound recording shall take place during the meeting.
11. Councillors are permitted to use social media for the reporting of proceedings of public Council meetings. If they wish to use social media during meetings they should inform the Chairman who will make it clear to any members of the public attending that this activity is permissible. Members will need to consider whether using social media may distract them from participating and understanding information that is being shared at the meeting prior to a decision being made.
12. Councillors should however switch their mobile phone or other equipment to silent mode, so that no disruption is caused to proceedings. If, at a meeting, a Member’s use of an electronic communication device is causing proceedings to be disrupted any Member may move that the Member should desist from using the device. If the motion is seconded it should be put to the vote without discussion. Members wishing to record (whether in an audio or visual format) meetings will need to do so in accordance with the protocol above.

Boxford Parish Council Standing Orders Updated September 2014