

FALSTONE PARISH COUNCIL

STANDING ORDERS

1. **Regular meetings** of the Council shall be held at 7.00 p.m. on the first Tuesday in each month, except in August, unless the Council decides otherwise at a previous meeting. Smoking is not permitted at any meeting of the Council.
2. **Annual General meeting of the Parish Council** The statutory annual general meeting of the Parish Council shall be held in May as the council may direct.

In an election year, the meeting must be held on or within 14 days following the day on which the councillors elected take office.
3. **Annual Parish Meeting** The Annual Parish Meeting shall be held in May to which all electors are invited.
4. **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.
5. **Proper Officer**
Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he shall be the clerk or nominated officer –
 - 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 sign and issue the summons to attend meetings of the Council.
 - To keep proper records for all Council meetings.
6. **Quorum of the Council**
Three members shall constitute a quorum at meetings of the Council.
7. 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 be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.
8. **Voting**
Members shall vote by show of hands or, if at least two members so request, by signed ballot.
9. 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 onto the next business.

- 10 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.

11. Order of business

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

- 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.
- In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
- To elect a Vice-Chairman of the Council.
- To appoint representatives to outside bodies.
- To appoint committees and sub-committees.
- To consider the payment of any subscriptions falling to be paid annually.
- To inspect any deeds and trust investments in the custody of the Council as required;

12. 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.

13 In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees.

14 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.

- d) To dispose of business, if any, remaining from the last meeting.
- e) To receive such communications as the person presiding may wish to lay before the Council.
- f) To answer questions from Councillors and from members of the public during Public Question Time.
- g) To receive and consider reports and minutes of committees and reports from Officers
- h) To receive and consider resolutions or recommendations in the order in which they have been notified.
- i) To authorise the sealing of documents.
- j) If necessary, to authorise the signing of payments, in accordance with standing financial regulations.

15. 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.

16 Resolutions moved on notice

Except as provided by Standing Orders, no resolution may be moved unless the business 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 Monday in the week prior to the next meeting of the Council.

17 The Clerk shall date every notice of resolution or recommendation when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.

18 The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.

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 subject over which the Council has power or duties, which affects its area.

22

Questions

A member may ask the Chairman of the Council, a Committee or the Clerk any question concerning the business of the Council, provided 7 clear days notice of the question has been given to the person to whom it is addressed.

23.

No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

24.

Every question shall be put and answered without discussion.

25.

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

26.

Disorderly Conduct

- (a) All members must observe the Code of Conduct which was adopted by the Council on July 2007, a copy of which is annexed to these Standing Orders.
- (b) No member shall at the 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 para. (b), 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 reasonable believes another member is in breach of the code of conduct or, that member is under a duty to report the breach to the Standards Board (England).
- (d) If either of the motions mentioned in para. (c) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

27.

Discussion 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.

28.

Expenditure

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

29. **Accounts and Financial Statement**

a) Except as provided in para. 29(b), all accounts for payment and claims upon the Council shall be laid before the Council. Cheques shall be signed by two Councillors from the list of authorised cheque signatories as amended from time to time and notified to Lloyds Bank. The list shall always include the Chairman and Vice-Chairman. Online banking introduced during 2014. Payments to be approved and recorded at council meetings.

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 Clerk. Such payment shall be authorised by the Clerk for payment with the approval of the Chairman and Vice-Chairman of the Council and signed by two authorised signatories.

c) All payments ratified under 29(b) shall be separately included in the next schedule of payments before the Council.

30. The Clerk as Responsible Financial officer shall keep the accounts of the Parish Council in accordance with the latest Accounts and Audit Regulations and following the advice, where appropriate, given in current edition of the 'Governance and Accountability in Local Councils in England and Wales: a Practitioners' Guide'. The Clerk shall supply to each member as soon as practicable after 31st March in each year a statement of receipts and payments for the completed financial year. A financial statement prepared on the appropriate accounting basis (receipts and payments) for a year to 31st March shall be presented to each member before the end of the following month of April. The statement of accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval prior to the date it is due for submission to the Audit Commission.

31. **Estimates and Precepts**

The Council shall approve written estimates for the coming financial year at its meeting where Precept is determined.

Any committee or member desiring to incur expenditure shall, not later than November, give the Clerk a written estimate of the expenditure recommended for the coming year.

32. **Interests**

If a member has a personal and prejudicial interest as defined by the Code of Conduct adopted by the Council in July 2007 he or she shall declare such an interest either at the beginning of the meeting or as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

33. If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room during consideration of the item

to which the interest relates.

34. The Clerk is required to compile and hold a Register of Member's Interests, or copy thereof, in accordance with the agreement reached with the Monitoring Officer and is required by statute.

35. Admission of the Public and Press to meetings

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 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.

36. The Council shall state the special reason for exclusion.

37. Public Participation

At all meetings of the Parish Council, the Chairman may at his/her discretion, and at a convenient time in the transaction of the business, allow any members of the public to address the meeting in relation to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly minuted.

38. At all meetings of the Parish Council, the Chairman may permit members of the Council who have a prejudicial interest in relation to any item of business to be transacted at that meeting to (a) make representations, (b) answer questions or (c) give evidence relating to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly minuted.

39. The length of public participation sessions, and the length of time per speaker are subject to the discretion of the Chairman, but should not normally exceed a total of 15 minutes per meeting.

40. Financial Matters

The Council shall consider and approve Financial Regulations drawn up by the Clerk as Responsible Financial officer. These Financial Regulations shall be subject to regular review at least once every four years.

41. 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

42. Delegation of Authority

Where it is necessary between meetings, or during a recess of the Parish Council, to make a decision on a planning matter or any other function, the Council delegates authority to the Clerk, under the Local Government Act 1972, section 101, to take action on the Council's behalf following consultation with and agreement by at least two Councillors, including, if possible, the Chairman and one Councillor from the ward concerned.

Amendments to Standing Orders

Approved by Falstone Parish Council at its meeting on
5th July 2016