

# Kettleburgh Parish Council

## Standing Orders

**Bold text** indicates statutory requirements that cannot be suspended.

### 1 Meetings

- a **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- b **When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**
- c **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e The period of time which is designated for public participation in accordance with standing order 1(d) ~~above~~ shall not exceed 15 minutes.
- f In accordance with standing order 1(d) 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.
- g In accordance with standing order 1(f) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- h Any person speaking at a meeting shall address his comments to the Chairman.
- i 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.
- ~~j **Filming, photographing, recording, broadcasting or transmitting the proceedings of any meeting of Council, or a committee, should be conducted in accordance with the Council's Protocol for Reporting at Meetings.**~~
- ~~ik **Any person wishing to report on the proceedings of a meeting as in paragraph (j) above shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**~~
- ~~j **In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be**~~

Commented [MS1]: Typographical error

~~present.~~

Commented [MS2]: Updating to reflect Media Policy

~~kl~~ Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).

~~lm~~ The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.

~~mn~~ ~~Subject to a meeting being quorate, A~~ all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.

Commented [MS3]: Non-material clarification

~~no~~ The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (See also standing orders 2 (i) and (j) below.)

~~p~~ Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.

~~q~~ ~~The minutes of a meeting shall include an accurate record of the following:~~

~~i. the time and place of the meeting;~~

~~ii. the names of councillors present and absent;~~

~~iii. interests that have been declared by councillors and non-councillors with voting rights;~~

~~iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;~~

~~v. if there was a public participation session; and~~

~~vi. the resolutions made.~~

~~e~~ ~~The minutes of a meeting shall record the names of councillors present and absent.~~

Commented [MS4]: Update for best practice

~~pr~~ If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.

~~qs~~ The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.

~~rt~~ An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also standing orders 7 ~~and 8~~ below.)

Commented [MS5]: Section 8 removed.

~~u~~ No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.

~~sv~~ ~~If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.~~

~~t If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.~~

uw Meetings shall not exceed a period of two and a quarter hours.

**Commented [MS6]:** Update to current text, the material difference being that an inquorate meeting is closed.

## 2 Ordinary Council meetings

*See also standing order 1 above*

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
- b In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.
- c If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.
- e The election of the Chairman and Vice-Chairman (if any) of the Council shall be the first business completed at the annual meeting of the Council.
- f The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- g The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.
- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.
- j Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows.
  - i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date.** ~~In an election year, delivery by councillors of their declarations of acceptance of office.~~

**Commented [MS7]:** Clarification and bold because it cannot be suspended.

- ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
- iii. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
- iv. Review of the terms of references for committees.
- v. Receipt of nominations to existing committees.
- vi. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
- vii. Review and adoption of appropriate standing orders and financial regulations. \*
- viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
- ix. Review of representation on or work with external bodies and arrangements for reporting back.
- x. ~~In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future. In a year of elections, if a Council's period of eligibility to exercise the power of well-being expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.~~
- xi. Review of inventory of land and assets including buildings and office equipment.\*
- xii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.\*
- xiii. Review of the Council's and/or employees' memberships of other bodies.
- xiv. Establishing or reviewing the Council's complaints procedure.
- xv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- xvi. Establishing or reviewing the Council's policy for dealing with the press/media \*
- xvii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

**Commented [MS8]:** Update removing reference to obsolete power of wellbeing.

\* These reviews may take place during the year following, at the discretion of the Chairman

### 3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.
  - i. Electronically serve on councillors a summons confirming the time, date, venue and the

agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer.

- ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub- committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
- iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming his withdrawal of it.
- iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)i] OR [3(b)ii] above.**
- v. Make available for inspection the minutes of meetings.
- vi. **Receive and retain copies of byelaws made by other local authorities.**
- vii. **Receive and retain declarations of acceptance of office from councillors.**
- viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- ix. Keep proper records required before and after meetings;
- x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also standing orders 14(a) and (b).*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xvi. Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Council within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
- xvii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

## 4 Motions requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 7 clear days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 4 clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

## 5 Motions not requiring written notice

- a The following motions may be moved at a meeting without written notice to the Proper Officer:  
Motions in respect of the following matters may be moved without written notice:
  - i. To appoint a person to preside at a meeting to correct an inaccuracy in the draft minutes of a meeting;
  - ii. to move to a vote;
  - iii. to defer consideration of a motion;
  - iv. to refer a motion to a particular committee or sub-committee;
  - v. to appoint a person to preside at a meeting;
  - vi. to change the order of business on the agenda;
  - vii. to proceed to the next business on the agenda;

- viii. ~~to require a written report;~~
- ix. ~~to appoint a committee or sub-committee and their members;~~
- x. ~~to extend the time limits for speaking;~~
- xi. ~~to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;~~
- xii. ~~to not hear further from a councillor or a member of the public;~~
- xiii. ~~to exclude a councillor or member of the public for disorderly conduct;~~
- xiv. ~~to temporarily suspend the meeting;~~
- xv. ~~to suspend a particular standing order (unless it reflects mandatory statutory requirements);~~
- xvi. ~~to adjourn the meeting; or~~
- xvii. ~~to close a meeting.~~

**Commented [MS9]:** Replaced whole section from model standing orders as the new ones are much more succinct.

## 6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f ~~An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.~~
- f ~~Any amendment to a motion shall be either:~~
  - i. ~~to leave out words;~~
  - ii. ~~to add words;~~
- g ~~to leave out words and add other words.~~ A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

**Commented [MS10]:** Clarification and improved wording taken from model standing orders.

- j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- q A point of order shall be decided by the Chairman and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to standing order 6(o) above, when a councillor's motion is under debate no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be silent or for him to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting;
  - ix. to suspend any standing order, except those which are mandatory.
- t In respect of standing order 6(s)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

## 7 Code of conduct and dispensations

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 7(d) and (f) above, dispensations requests shall be considered at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 7(e) above if having regard to all relevant circumstances the following applies:**
  - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
  - ii. **granting the dispensation is in the interests of persons living in the council's area or**
  - iii. **it is otherwise appropriate to grant a dispensation.**

## 8 Questions

- a ~~A councillor may seek an answer to a question concerning any business of the Council provided 6~~

~~clear days notice of the question has been given to the Proper Officer.~~

- ~~b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.~~
- ~~c Every question shall be put and answered without discussion.~~

**Commented [MS11]:** Obsolete. No reference to rules on questions in current model standing orders.

## 98 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Chairman of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the majority of the ( ) and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

## 109 Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. ~~If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.~~
- b If, in the opinion of the Chairman, there has been a breach of standing order 9(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be ~~no longer heard silenced~~ or excluded from the meeting, and the motion, if seconded, shall be put ~~to the vote forthwith and~~ without discussion.
- c If a resolution made in accordance with standing order 9(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to ~~restore order or to progress the meeting. This may include temporarily suspending or closing the meeting, enforce it and/or he may adjourn the meeting.~~

**Commented [MS12]:** Various updates and improvements taken from the model standing orders.

## 1110 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, which requires written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 4~~the written notice whereof bears the names of at least 3 councillors of the Council,~~ or by a special motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 10(a) above has been disposed of, no similar motion may be moved within a further 6 months.

**Commented [MS13]:** Adding reference to standing order 4

**Commented [MS14]:** Correction for previous omission.

## 1211 Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

## 13 Expenditure

- ~~a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.~~
- ~~b The Council's financial regulations shall be reviewed once a year.~~
- ~~c The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.~~

**Commented [MS15]:** There is no directly equivalent section in the model standing orders but clauses a and b are covered in the proposed replacement for the "Accounts and Financial Statement" section, and clause c is unnecessary as the council may draw up terms of reference for any committee.

## 1412 Execution and sealing of legal deeds

*See also standing order 5(a)(xvi) above*

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 12(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

## 1513 Committees and sub-committees

*See also standing order 1 above*

- a Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.

**b The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**

**c Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

d The council may appoint standing committees or other committees as may be necessary, and:

a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:

- i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 13(b) and (c) above, appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 13(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
  - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
  - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
  - ix. shall determine if the public may participate at a meeting of a committee;
  - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xii. may dissolve a committee.
- i. shall determine their terms of reference;
  - ii. may permit committees to determine the dates of their meetings;
  - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
  - iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 3 days before the meeting that they are unable to attend;

- v. ~~an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;~~
- vi. ~~may in accordance with standing orders, dissolve a committee at any time.~~

## 16 Sub-committees

~~See also standing order 1 above~~

- a. ~~Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.~~

**Commented [MS16]:** Update two sections to current single section from model standing orders with new mandatory items and superseding the old advisory committees section.

## 17.14 Extraordinary meetings

*See also standing order 1 above*

- a. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b. **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary 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.**
- c. ~~The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.~~
- ed. ~~If the chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 members of the committee (or the sub-committee), any 2 members of the committee (and the sub-committee) may convene an extraordinary meeting of a committee (and a sub-committee).~~

**Commented [MS17]:** Added new clause from model standing orders. I chose the numbers of 7 days, and 2 Cllrs twice based on clause b.

## 18 Advisory committees

~~See also standing order 1 above~~

- a. ~~The Council may appoint advisory committees comprised of a number of councillors and non-councillors.~~
- b. ~~Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.~~

**Commented [MS18]:** Superseded by replacement Committees section.

**statementsAccounts and Financial Statement**

- a “Proper practices” in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide (England).
- b All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council’s financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise (i) the council’s receipts and payments for each quarter; (ii) the council’s aggregate receipts and payments for the year to date; (iii) the balances held at the end of the quarter being reported; and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. each councillor with a statement summarising the council’s receipts and payments for the last quarter and the year to date for information; and
  - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.
- a ~~All payments by the Council shall be authorised, approved and paid in accordance with the Council’s financial regulations, which shall be reviewed at least annually.~~
- b ~~The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council’s receipts and payments for each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.~~

**Commented [MS19]:** Replacement section from standing orders, part of replacing old sections 13, 19, 20 & 29 with model standing orders sections 17 & 18, which cover all the same points with a few updates.

**Commented [MS20]:** I propose the timing are altered to be “at scheduled quarterly meetings”

**20 Estimates/precepts**

- a ~~The Council shall approve written estimates for the coming financial year at its meeting before~~

~~the end of January.~~

- b ~~Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.~~

**Commented [MS21]:** There is no equivalent of this section in the model standing orders and both clauses are covered in section 2 of the financial regulations.

## 2116 **Canvassing of and recommendations by councillors**

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

**Commented [MS22]:** This section or reference to this content do not occur in the model standing orders. I have left this section but Cllrs may consider that the intent is covered by the Code of Conduct and therefore the section could be removed.

## 22 ~~Inspection of documents~~

<sup>2317</sup> ~~Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.~~

**Commented [MS23]:** This section states the obvious under current transparency regulations and does not appear in the current model standing orders so I have removed it.

## 2418 **Unauthorised activities**

- a ~~Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:~~
- ~~i-iii.~~ inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ~~ii-iv.~~ issue orders, instructions or directions.

**Commented [MS24]:** Updated to more succinct and effective wording from model standing orders.

## 2519 **Handling confidential or sensitive information** **Confidential business**

- a ~~The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in~~

the public interest.

- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.
- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

**Commented [MS25]:** Replacement section from model standing orders.

## **26 ~~Power of well-being (England)~~**

- a Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
- b The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
- c After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.

**Commented [MS26]:** This section refers no obsolete an obsolete power

## **2720 ~~Requests for information~~ Freedom of Information Act 2000**

- a Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.
- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman. He shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

**Commented [MS27]:** Replacement section from model standing orders updating to current laws.

## 2821 Relations with the press/media

- a All requests from the press or other media for an oral or written statement or comment from the Council, ~~its councillors or staff~~ shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- ~~b In accordance with the Council's policy in respect of dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.~~

**Commented [MS28]:** Useful addition from model standing orders.

**Commented [MS29]:** No longer appropriate and not in model standing orders.

## 2922 Liaison with District and County or Unitary Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the District and County or Unitary Council representing its electoral ward.
- b Unless the Council otherwise orders, a copy of each letter sent to the District or County or Unitary Council shall be sent to the District or County or Unitary Council councillor representing its electoral ward.

## 3023 ~~Financial controls and~~ ~~procurement~~ Financial matters

- ~~a The council shall consider and approve financial delegates drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:~~
- ~~a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:~~
- ~~i. the keeping of accounting records and systems of internal controls;~~
  - ~~ii. the assessment and management of financial risks faced by the council;~~
  - ~~iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;~~
  - ~~iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and~~
  - ~~v. procurement policies (subject to standing order 23(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £25,000.~~
- ~~i. the accounting records and systems of internal control;~~
- ~~ii. the assessment and management of financial risks faced by the Council;~~

**Commented [MS30]:** Replacement section from standing orders, part of replacing old sections 13, 19, 20 & 29 with model standing orders sections 17 & 18, which cover all the same points with a few updates.

- iii. ~~the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;~~
- iv. ~~the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;~~
- v. ~~procurement policies (subject to standing order 29(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.~~

~~b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.~~

**c Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in standing order 23(d) below.**

d Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

**b Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 29(c) below.**

~~e Any formal tender process shall comprise the following steps:~~

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- ~~i. a public notice of intention to place a contract to be placed in a local newspaper;~~
  - ~~ii. a specification of the goods, materials, services and the execution of works shall be drawn up;~~
  - ~~iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;~~
  - ~~iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper~~

Officer and at least one member of the Council;

v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.

e. Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

f. Where the value of a contract is likely to exceed £181,302 (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2015 and the Utilities Contracts Regulations 2015 apply to the contract and, if either of those Regulations apply, the council must comply with EU procurement rules.

d. Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.

e. Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

**Commented [MS31]:** Updated beyond model standing orders in order to cover the 2015 regulations as advised by the last internal audit.

## 3124 Code of conduct complaints Allegations of breaches of the code of conduct

a. Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the council.

b. Where the notification in standing order 24(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 24(d) below.

c. The council may:

a. On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the council.

b. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

c. The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality:

i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;

- ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
  - i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
  - ii. Ensure that any background papers containing the information set out in standing order 30(a) above are not made public.
  - iii. Ensure that the public and press are excluded from meetings as appropriate.
  - iv. Ensure that the minutes of meetings preserve confidentiality.
  - v.iii. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- d. Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.
- d. Standing order 30(c) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- e. The Chairman shall have the power to:
- i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
  - ii. seek and share information relevant to the complaint;
  - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.
- f. References in standing order 30 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

**Commented [MS32]:** Replacement section from model standing orders.

## **3225 Standing orders generally Variation, revocation and suspension of standing orders**

- a. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c. The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- d. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

~~Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.~~

~~A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.~~

## ~~Standing orders to be given to councillors~~

~~The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.~~

~~The Chairman's decision as to the application of standing orders at meetings shall be final.~~

~~A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.~~

**Commented [MS33]:** Section from model standing orders replacing two old sections updated wording but dropping the unnecessary clause 32(c).

*These Standing Orders were adopted by the Council on 22<sup>nd</sup> February 2018 Minute Ref*