

Brandon Parva, Coston, Runhall & Welborne Parish Council

Standing Orders

1) Meetings

- a) Meetings of the Council must be held in each year on such dates and times and at such place as the Council may direct. If no hour is fixed, then meetings must begin at 7:30pm.
- b) A notice of all Council meetings and an agenda will be advertised on all Parish Notice Boards and the Parish Council website at least 3 days prior to any meeting.
- c) Smoking is not permitted at any meeting of the Council.
- d) Mobile phones must be switched off during all Council meetings.

2) The Statutory Annual Meeting

- a) **In an election year, the Annual Parish Council Meeting shall be held on or within fourteen days following the day on which the councillors elected take office and**
- b) **in a year that is not an election year, the Annual Parish Council Meeting must be held on any 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 time 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 (Parish Clerk)

Where a statute, regulation, or order confers function or duties on the proper officer of the Council in the following cases, he / she shall be the clerk or nominated officer (Councillor):

- a) To receive declarations of acceptance of office
- b) To receive and record notices disclosing interests at meetings

- c) To receive and retain plans and documents
- d) To sign notices or other documents on behalf of the Council
- e) To receive copies of bylaws made by South Norfolk District Council
- f) To certify copies of bylaws made by the Council
- g) To sign and issue the summons to Councillors to attend meetings of the Council
- h) To keep proper records for all Council meetings

5) Quorum of the Council

- a) **Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.**
- b) 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 transferred at the next meeting or on such other day as the Chairman may fix.

6) Voting

Members shall vote by a clear show of hands or, if at least two members so request, by signed ballot.

- 7) **If a member so requires, the Clerk shall record the names of the members who voted on any question in order to show whether they voted for or against it. Such a request must be made before moving on to the next business.**
- 8) **Subject to (a) and (b) 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/she gave an original vote.**
 - a) **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/she may not give an original vote in an election for Chairman.**
 - b) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

9) Order of Business

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 due to insufficient nominations.**
- d) **To decide when any declaration 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.
- g) To appoint committees and sub-committees.
- h) To consider the payment of any subscriptions falling to be paid annually.
- i) To inspect any deeds and trust investments in the custody of the Council as required;

and shall thereafter follow the order set out in the Standing Order 12).

10) 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 the shall be received.

11) In every year, before the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of the Clerk. Standing Order 28) must be read in conjunction with this requirement.

12) 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 present to the Council.
- f) To answer questions from Councillors.
- g) To receive and consider reports and minutes of committees.

- h) To receive and consider resolutions or recommendations in the date order in which they have been received and notified by the Clerk.
- i) To authorise the sealing of documents.
- j) If necessary, to authorise the signing of orders for payment.

13) 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 of the Council and, if proposed by the Chairman, may be put to the vote without being seconded, and
- b) Shall be put to the vote with discussion

14) Resolutions that must be Moved On Notice

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

- 15) 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.
- 16) Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

17) Resolutions that can be 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.
- h) To appoint a committee or any members thereof.

- i) To adopt a report.
- j) To authorise the sealing of documents.
- k) To amend a motion.
- l) To give leave to withdraw a resolution or amendment.
- m) To extend the time limit for speeches.
- n) To exclude the press and the public (see Order 44) below).
- o) To silence or eject from the meeting a member named for misconduct (see Order 23) below).
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing Order (see Order 54) below).
- r) To adjourn the meeting.

18) Rules of Debate

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.

- 19) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him/her before it is further discussed or put to the meeting.
- a) A member when seconding a resolution or amendment may, if he / she declares an intention to do so, reserve his / her speech until a later period of the debate.
 - b) A member shall direct his/her speech to the question under discussion or to a personal explanation or to a question of order.
 - c) No speech by a mover of a resolution shall exceed five minutes and no other speech shall exceed five minutes except by consent of the Council.
 - d) An amendment shall be either:
 - i) To omit words,
 - ii) To replace words with other words,
 - iii) To insert or add words.
 - e) An amendment shall not have the effect of negating the resolution before the Council.

- f) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- g) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- h) The mover of a resolution or an amendment shall have the right of reply, not exceeding five minutes.
- i) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- j) A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. The member that may have been misunderstood shall confine a personal explanation to some material part of a former speech.
- k) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- l) When a resolution is under debate, no other resolution shall be moved except the following:
 - i To amend the resolution.
 - ii To proceed to the next business.
 - iii To adjourn the debate.
 - iv That the question be now put.
 - v That a member named be not further heard.
 - vi That a member named leaves the meeting.
 - vii That the resolution be referred to a committee.
 - viii To exclude the public and press.
 - ix To adjourn the meeting.

20) A member shall remain seated when speaking unless requested to stand by the Chairman.

21) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed

- a) Members shall address the Chairman to speak. If two or more members wish to speak, the Chairman shall decide whom to call upon.

- b) Whenever the Chairman speaks during a debate, all other members shall be silent.

22) Closure

At the end of any speech a member may, without comment, move *“that the question be now put,”* *“that the debate be now adjourned,”* or *“that the Council do now adjourn.”* If such motion is seconded, the Chairman shall put the motion but, in the case of a motion *“that the question be now put,”* only if he / she is of the opinion that the question before the Council has been sufficiently debated. If the motion *“that the question be now put”* is carried, he / she shall call upon the mover to exercise or waive his / her right of reply and shall put the question immediately after the right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

23) Disorderly Conduct

- a) **All must observe the Code of Conduct, which was adopted by the Council 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).**
- 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.

24) Right of Reply

The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed, the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

25) Alteration of Resolution

A member may, with the consent of his / her seconder, move amendments to his own resolution.

26) 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 three members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- 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 resolution may be moved within a further six months

27) 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.

28) 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. (See Standing Order number 44)).

29) Resolutions on Expenditure

Any resolution and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

30) Expenditure

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

31) Sealing of Documents

- a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- b) 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.

32) Accounts and 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 officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer for payment with the approval of the Chairman or Vice-Chairman of the Council.
 - c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments before the Council.
- 33) The Responsible Financial Officer (Clerk) shall supply to each member as soon as practicable after 31st March in each year, a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31st 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.

34) Estimates / Precepts

- a) The Council shall approve written estimates for the coming financial year at its meeting before the end of the month of December (Precept Meeting).
- b) Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year not later than February.

35) Interests (England)

- a) **If a member has a personal interest as defined by the Code of Conduct (adopted by the Brandon Parva, Coston, Runhall & Welborne Parish Council July 2012), then the member shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**
- b) **If a member who has declared a personal interest then considers the interest prejudicial, the member must withdraw from the room or chamber during consideration of the item to which the interest relates.**

36) The Clerk may be required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of South Norfolk District Council and / or as required by statute.

37) If a candidate for any appointment under the Council is to their knowledge related to any member of the holder of any office under the Council, he / she and the person to whom they are related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the

Council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed, Standing Orders 35)a) and 35)b) shall apply as appropriate.

38) The Clerk shall make known the purpose of Standing Order 37) to every candidate.

39) Canvassing of and Recommendations by Members

a) Canvassing of members of the Council or for any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the importance of this sub-paragraph of this Standing Order to every candidate.

b) A member of the Council or of any committee shall not solicit for any person any appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

40) Standing Orders numbers 37) and 39) shall apply to tenders as if the person making the tender were a candidate for an appointment.

41) Inspection of documents

A member may for the purpose of his / her 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.

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

43) Unauthorised Activities

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, instructions, or directions, unless authorised to do so by the Council or the relevant committee or sub-committee.

44) 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".

45) The Council shall state the special reason for exclusion.

46) At all meetings of the Council the Chairman 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 in items on the agenda to address the meeting in relation to the business to be transacted at that meeting.

47) 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. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

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

49) Confidential Business

a) 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, the committee or the sub-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 or sub-committee of the Council by the Council.

50) Liaison with County and District Councillors

a) A Summons and an Agenda for each meeting shall be sent, together with an invitation to attend, to the County, and district Councillor for the appropriate division or ward.

b) Unless the Council otherwise order, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the division or the District Councillor for the ward as the case may require.

51) 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 applicant
- iii the place to which it relates;

b) The Clerk shall refer every planning application received to the next Council meeting following receipt of the documentation. In order to progress planning applications, the Council may call a special planning meeting.

52) Financial Matters

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

- a) Such Financial Regulations shall include detailed arrangements for the following:
 - i the accounting records and systems of internal control;
 - ii the assessment and management of risks faced by the Council;
 - 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 financial reporting requirements of members and local electors and
 - v procurement policies (subject to (b) below) including the setting of values for different procedures where the contract has an estimated value less than £5,000.
- b) Any proposed contract for the supply of goods, material, services and the execution of works with an estimated value in excess of £5,000 shall be procured on the basis of a formal tender as summarised in (c) below.
- c) Any formal tender process shall comprise the following steps:
 - i A public notice of intention to place a contract to be placed in a local newspaper;
 - ii A specification of the goods, material, services and the execution of works shall be drawn up;
 - iii Tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
 - iv Tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of the Council;
 - v Tenders are then to be assessed and reported to the appropriate meeting of the Council or Committee.
- d) The Council, nor any Committee, is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 37), 39), & 40) regarding improper activity.
- e) The Financial regulations of the Council shall be subject to regular review, at least every four years.
- f) Council is reminded that the European Union Public Sector Procurement Rules are likely to apply to contracts with a value in excess of £140,000 and advice should be sought at this level.
- g) Note: Some Standing Orders **must** be made for contracts for the supply of goods or the execution of works.)

53) 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 that should be properly directed to the Standards Board (England) for consideration.

54) 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.

55) A resolution permanently to add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned with discussion to the next ordinary meeting of the Council.

56) Standing Order to be Given to Members

57) A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him / her of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.

58) Data Protection

59) **The council is the Data Controller. The clerk is the Data Protection Officer and Data processor**

60) **Councillors and staff must receive training about Data Protection**

61) **Data protection is managed through a Policy**