

Great Chesterford Parish Council

Standing Orders

Adopted 27/02/08

STANDING ORDERS

1. The Statutory Annual Meeting

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

2. In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.

3. Chairman of the Meeting

At every meeting other than the Annual Parish Council Meeting, if both the Chairman and Vice-Chairman are absent, the first business shall be to appoint a member to preside. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

4. Proper Officer

Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he shall be the clerk: -

- 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 receive copies of bylaws made by another local authority.
- To certify copies of bylaws made by the Council.
- To sign and issue the summons to attend meetings of the Council.
- To keep proper records for all Council meetings.

5. Quorum of the Council

- a) Three members of the total membership 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 transacted at the next meeting or on such other day as the Chairman may fix.

6. Voting

- a) **Members shall vote by show of hands or, if at least two members so request, by signed ballot.**
- b) **If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**
- c) **(1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of vote may give a casting vote whether or not he gave an original vote.**
(2) If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.
(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

7. 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 by reason of insufficient nominations.**
- d) **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
- e) **To elect a Vice-Chairman of the Council.**
- f) **To appoint representatives to areas of Council responsibility.**

8. Urgent Business

A motion to vary the order of business on the ground of urgency:

- a) **May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and**
- b) **Shall be put to the vote without discussion.**

9. Resolutions Moved On Notice

- a) 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 7 clear days before the next meeting of the Council.
- b) Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

10. Resolutions Moved Without Notice

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

- a) To appoint a Chairman of the meeting.
- b) To correct the Minutes.
- c) To approve the Minutes.
- d) To alter the order of business.
- e) To proceed to the next business.
- f) To close or adjourn the debate.
- g) To extend the time limit for speeches.
- h) To exclude the press and public.
- i) To give the consent of the Council where such consent is required by these Standing Orders.
- j) To adjourn the meeting.

11. Rules of Debate

- a) Contributions to the debate shall be kept as short as reasonably possible and shall be addressed to the Chair. Except for the proposer of a motion, any member should normally speak only once to anyone motion.
- b) 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.

12. Disorderly Conduct

- a) All members must observe the Code of Conduct which was adopted by the council on 18/07/07 Minute 07/27, a copy of which is annexed to these Standing Orders.

13. 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 5 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.

14. 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, the press and public shall be excluded.

15. Expenditure

All expenditure must be authorised by resolution of the Council. This authority may however take the form of an allocation to the clerk under specific headings to undertake such work as may have been, or may later be, referred for action.

16. Payments

Payments shall be made by cheque wherever practicable. Cheques must be made out before signature and are to be signed by two members who must also initial the counterfoil and invoice.

17. Committees and Sub Committees

The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision.

- 18. The Chairman and Vice-Chairman, ex-officio, shall be voting members of every committee.**

Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the council, and shall settle its programme of meetings for the year.

The terms of reference and delegated authorities must be agreed by the Parish Council at the first meeting after the creation of the committee, or at the first meeting in each new financial year.

19. Advisory Committees

The Council may appoint advisory committees comprising councillors and/or co-opted members. The committees will not have delegated powers but will make recommendations and report to the Parish Council as required.

Voting in Committees

20. Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.

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

22. Presence of Non-Members of Committees at Committee Meetings

A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

23. Accounts and Financial Statement

The Responsible Financial Officer shall supply to each member as soon as practicable after 31 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 31 March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of September.

24. Estimates / Precepts

At the meeting of the council previous to the meeting at which the amount of Precept for the coming year is to be set, each committee shall report proposals, with estimated cost, of a programme of work it recommends should be undertaken through the committee during the coming financial year.

25. Interests

a) If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 18/07/2007 then he 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 to be prejudicial, he may make representations, answer questions or give evidence relating to the business, however he must withdraw from the room or chamber during consideration of the item to which the interest relates.

26. 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 the Responsible Authority and/or as required by statute.

27. **Unauthorised Activities**

No member of the Council or of 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.

28. **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”

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

30. At all meetings of the Council the Chairman may at his discretion and at a convenient time in the transaction of 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. The Code of Conduct currently adopted by the Council shall apply to members of the council in respect of the entire meeting. Where, however, members of the council exercise their rights pursuant to SO 32 below, members of the public shall be allowed to attend the meeting to (a) make representations, (b) answer questions or (c) give evidence relating to the business to be transacted.

31. At all meetings of the 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. The Code of Conduct currently adopted by the Council shall apply to members of the council in respect of the entire meeting

32. Confidential Business

- 1) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- 2) Any member in breach of the provisions of paragraph (1) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

33. Financial Matters

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

- 1) Such Regulations shall include detailed arrangements for the following:
 - a) the accounting records and systems of internal control;
 - b) the assessment and management of risks faced by the Council;
 - c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
 - d) the financial reporting requirements of members and local electors and
 - e) procurement policies (subject to (2) below) including the setting of values for different procedures where the contract has an estimated value less than £10,000.
- 2) Any intention to enter into a contract of £10,000 or more in value shall be publicly advertised. At least three tenders shall be invited by the clerk from firms approved by the council. Decisions on acceptance shall be taken at a meeting of the council. Acceptance shall be made, on behalf of the council, by the clerk.
- 3) The Council, nor any Committee, is not bound to accept the lowest tender, estimate or quote.
- 4) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

34. Code of Conduct on Complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board (England) for consideration.

35. Standing Orders to be Given to Members

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