

RINGMER PARISH COUNCIL

STANDING ORDERS,

2018 EDITION

ADOPTED ON

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List of standing orders

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1. Rules of debate at meetings

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the

very end of debate on the final substantive motion immediately before it is put to the vote.

- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.

- 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 other irregularity in the proceedings of the meeting he is concerned by.

- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.

- r When a 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 no longer heard or 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; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

- t Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chairman of the meeting.

2. 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 person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Meetings generally

- 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.** Council meetings – meetings of the Council shall be held at the Village Hall at 7.30pm, unless Council decides otherwise, the date of meetings to be fixed at the commencement of each yearly session (of the four yearly term of office) Parish Council meetings shall be held at least once a month, with the exception of the August Holiday Period.
- b **The minimum three clear days' for notice of a meeting does not include 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.**
- 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 Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- e The period of time designated for public participation at a meeting in accordance with standing order 3(d) above shall not exceed 15 minutes unless directed by the chairman of the meeting.

- f Subject to standing order 3(e) above, a member of the public shall not speak for more than 3 minutes or longer or at the Chairman of the meetings discretion.
- g In accordance with standing order 3(f) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- h A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.
- i A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- j Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- k **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted**

Members of the public may photograph, record, tweet, blog or broadcast the proceedings of a meeting by use of the relevant social/recording media in accordance with The Openness of Local Government Bodies Regulations 2014, amended s.1 of the 1960 Act.

FILMING, RECORDING AND REPORTING OF MEETINGS HELD IN PUBLIC

Ringmer Parish Council supports the principle of transparency and encourages filming, audio recording and taking photographs at its meetings that are open to the public. It also welcomes the use of social networking websites (such as Twitter and Facebook) and micro-blogging to communicate with people about what is happening, as it happens.

Although not required to do so, anyone intending to record any meeting of the Parish Council or its committees is encouraged to contact the Clerk.

Reasonable advance notice will enable practical arrangements to be made. The Parish Council will ensure that “reasonable facilities” to record meetings are available. It should be noted that the Chair of the meeting will have absolute discretion to terminate or suspend any recording and/or reporting if, in their opinion, it is distracting or otherwise disrupting proceedings at the meeting. Disruptive behaviour includes any action or activity which disrupts the conduct of the meeting or impedes others from being able to see, hear or film etc. the proceedings, for example:

- Excessive noise in recording or re-siting equipment during the debate/discussion,
 - Intrusive lighting and use of flash photography,
 - Moving to areas outside the areas designated for the public without the consent of the Chair;
- or

- Asking for people to repeat statements for the purposes of recording.

Termination or suspension of recording and/or reporting might also occur in other circumstances, for example where:

- the meeting is suspended; or
- The meeting agrees formally to exclude the press and public from the meeting due to the confidential/exempt nature of the business being discussed

Ringmer Parish Council expects those recording proceedings not to edit the film/audio record/photographs in a way that could lead to misinterpretation of the proceedings, or infringe the core values of the Parish Council. This includes refraining from editing any record in a way that may ridicule, or show a lack of respect towards those being photographed/filmed/recorded.

The use of flash photography or additional lighting will not be allowed unless this has been discussed in advance of the meeting and agreement reached on how it can be done without disrupting proceedings.

If a meeting needs to be recorded in the light of members of the public starting to record a meeting or made the Clerk aware of intentions to record at the beginning of each meeting, the Chair will make an announcement that the meeting may be filmed, recorded or photographed. If recording equipment is not set up in advance of the meeting, the Chair will suspend the meeting in order to set up and commence recording. In this way all attendees will be aware that proceedings may be recorded.

Written minutes of meetings, once approved by the Parish Council will remain the formal record of all decisions taken.

Recordings of Ringmer Parish Council meetings by those other than the Parish Council are the responsibility of the person making the recording in whatever form, and any breaches of the law which may result are similarly their responsibility.

The Parish Council accepts no liability whatsoever for such breaches.

- l The press 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.**
- m Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).**
- n 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.** The person presiding at the meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

- o Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**

The quorum is three or one-third of the total membership, whichever is the greater, but where more than one-third of the members are disqualified at the same time the quorum is either three or one-third of the qualified members, whichever is greater, until such a time as the membership has been increased to not less than two thirds of the total.

Full Council Meeting – five members shall constitute a quorum.

Planning Committee – five members shall constitute a quorum.

General Purposes – three members shall constitute a quorum, two of whom must be General Purpose Committee members or the Chairman or Vice Chairman as Ex Officios may be the third member to provide the quorum.

Greens Committee- three members shall constitute a quorum, two of whom must be General Purpose Committee members or the Chairman or Vice Chairman as Ex Officio's may be the third member to provide the quorum.

Office and Finance Working Group - three members shall constitute a quorum, two of whom must be General Purpose Committee members or the Chairman or Vice Chairman as Ex Officio's may be the third member to provide the quorum.

- p The chairman of a meeting 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 standing orders 5(i) and (j) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.

- q Unless standing orders provide otherwise, voting on a 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.

- r 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.

- s **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- t **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 three.**
See standing order 4d (viii) below for the quorum of a committee or sub-committee meeting.
- u **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.
- v A meeting shall not exceed a period of 2 hours. If a meeting needs to proceed beyond 2 hours the Chairman will request a resolution to continue or adjourn.

4. Committees and sub-committees

- a **Unless the council determines otherwise, a committee or working group 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:
 - 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 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(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.

RINGMER PARISH COUNCIL

TERMS OF REFERENCE FOR OFFICE AND FINANCE WORKING GROUP

To be composed of: Chairman, Vice Chairman, Chairman of Greens Committee, Chairman of General Purposes Committee and two other appointed from Council, Finance Officer to attend meetings. Three members out of five shall constitute a quorum one of whom shall be the Chairman or Vice Chairman of Council.

Membership

- The Chair and Vice Chair of the Parish Council
- The Chair of the Greens Committee
- The Chair of the General Purposes Committee
- 2 appointed Members of the Parish Council

If the Chairman, Vice Chairman or Chairman of General Purposes Committee serves 2 of these roles, the Council may appoint an additional Member.

The appointments of Chair to all Committees will be considered at each Annual Statutory meeting.

If any of the office holders change during the year, the new office holder will replace their predecessor as a Member of the Office and Finance Working Group.

Meetings

The Working Group will meet prior to each meeting of the Council. In addition it will hold a budget meeting prior to the November meeting of Council to consider and make recommendations to Council on the following year's budget.

1. To review the financial affairs of Council and ensure that the accounting records are kept up-to-date. At every meeting the Working Group shall receive and scrutinise a report detailing actual and budgeted expenditure and income for all budget headings. The Working Group will also receive a report detailing the Council's cash and bank balances together with a bank reconciliation of the current account. In addition every quarter the Working Group will receive copies of the VAT return.
2. To review Accounts to be confirmed for payment and to make recommendations to Council.
3. To consider grant applications, tenders, financial correspondence and to make recommendations to Council thereon.

4. To consider and to recommend to Council any grants to be applied for.
5. To review the work of the Council's employees annually in October and recommend any changes in pay structure so that they may be included in the next year's budget.
6. In consultation with the Clerk to review office equipment and procedures from time to time and to make recommendations to Council.
7. To consider any matters referred to them by Council.
8. To consider any proposal for unbudgeted expenditure and to make recommendations to Council, particularly as to how such expenditure is to be funded.
9. To consider the Council budget each year and make recommendations to Council on the budget and the precept level. To consider and review risks and the Parish Council Risk Assessment on an annual basis.
10. To make recommendations to submit to Council.

RINGMER PARISH COUNCIL

TERMS OF REFERENCE FOR GREENS COMMITTEE

The Committee is composed of: 6 members of Council plus the Chairman and Vice Chairman as ex officio members. Three members shall constitute a quorum, this may not include the Chairman or Vice Chairman of Council.

1. To consider all matters concerning Ringmer Village Green including the pond, the war memorial, pumps, rose garden, paths, ditches, children's play equipment, seats, trees, litter bins, dog refuse bins and vehicle parking and make recommendations to Council.
2. To consider all matters relating to the Old Church Yard which are the responsibility of Ringmer Parish Council and make recommendations to Council.
3. To consider all matters concerning Anchor Field Open Space including children's play equipment, seats, trees and litter bins and make recommendations to Council.
4. To consider all matters concerning Fingerpost Field Open Space and Broyle Close Play area including children's play equipment, seats, trees, litter bins, fences and gates and make recommendations to Council.
5. To consider all matters concerning Broyle Lane Play area including seats, trees, litter bins, fences and gates and make recommendations to Council.
6. To consider all matters concerning the Village Sign and flower borders, Rushey Green and all other Open Spaces in the village that are the responsibility of the Parish Council and to make recommendations to Council.
7. To consider all matters concerning The Forge including play area, buffer zone, fencing and any other land held by the Parish Council.
8. To consider any matters referred to them by Council.
9. To draw up each year, to be presented to the budget meeting of Office and Finance Committee, a budget of expenditure related to the work of the Greens Committee for the forthcoming financial year.

RINGMER PARISH COUNCIL

TERMS OF REFERENCE FOR GENERAL PURPOSES COMMITTEE

This Committee is made up of 5 members of Council plus the Chairman and Vice Chairman as ex officio members. Three members shall constitute a quorum, two of whom must be General Purposes Committee members. The Chairman or Vice Chairman of Council may be the third member to provide the quorum.

1. To consider all matters concerning bus shelters in the village and their upkeep and to make recommendations to Council.
2. To survey all public footpaths and bridleways in the parish from time to time. To recommend to Council any actions required in signposting these paths from the highway or any actions necessary with regard to internal waymarking, obstructions, stile and footbridge provision and footpath clearance. To consider the need for revising the footpath guide book. To recommend any redirection of footpaths as required and negotiate these with the appropriate bodies.
3. To consider litter control in the parish and the provision of adequate litter bins except on The Green and the Open Spaces.
4. To consider matters concerning roads, footpaths and twittens and draw Council's attention to any matters which require action by Council or by the appropriate Authority.
5. To consider any problems relating to traffic or parking in the parish and recommend appropriate action.
6. To consider provision of public seats in any part of the parish except The Green and the Open Spaces.
7. To consider provision of any lighting of footways and make recommendations to Council.
8. To consider tree planting and care in the village except on The Green and the Open Spaces and make recommendations to Council.
9. To consider the provision, administration and upkeep of allotments and make recommendations to Council.
10. To consider any matters referred to them by Council.
11. To draw up each year, to be presented to the budget meeting of Office and Finance Committee, a budget of expenditure related to the work of the General Purposes Committee for the forthcoming financial year.
12. To consider matters of Health and Safety and review Council's policy thereon annually.

RINGMER PARISH COUNCIL

TERMS OF REFERENCE FOR PLANNING COMMITTEE

The Committee is made up of all members of Council and five members shall constitute a quorum. It will normally meet on the fourth Thursday of each month.

The Committee is empowered to consider all planning matters on behalf of Council and to act accordingly.

In particular it will:

1. Consider and respond where appropriate to all local, regional and national plans or proposals relating to housing, industry, transport and other infrastructure, natural resources, waste disposal and other planning issues concerning the natural or build environment.
2. Consider all planning applications, and any consequent appeals, relating directly to the parish and submit recommendations, **comments** and observations to the appropriate planning authority and any other bodies concerned.
3. Consider any external planning proposals or issues which have potential implications for the parish or cause detriment or not conform to Ringmer Neighbourhood Plan, and where appropriate submit recommendations comments and observations to the appropriate planning authority and other bodies concerned.
4. Undertake an oversight role to ensure that local plans and policies have due regard for the natural and built environment within the parish and that any proposals or actions affecting the environment to conform to such plans and policies.
5. Ensure that the council is represented, as appropriate, at enquiries and meetings called to consider planning issues which have a bearing on the parish. Representations shall be agreed at either the Planning or Full Council meetings.
6. Consider any other matters that relate to the natural or built environment or which may be referred to it by the Council.
7. To review the Neighbourhood Plan on a yearly basis or as decided by the Committee or Council.

5. Ordinary council meetings

- 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 first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman (if any) 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 business of the annual meeting shall include:**
 - 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;

- ii. Confirmation of the accuracy of the minutes of the last meeting of the council;
- iii. Receipt of the minutes of the last meeting of a committee;
- iv. Consideration of the recommendations made by a committee;
- v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi. Review of the terms of reference for committees;
- vii. Appointment of members to existing committees;
- viii. Appointment of any new committees in accordance with standing order 4 above;
- ix. Review and adoption of appropriate standing orders and financial regulations;
- x. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- xi. Review of representation on or work with external bodies and arrangements for reporting back;
- xii. 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;
- xiii. Review of inventory of land and assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
- xv. Review of the council's and/or staff subscriptions to other bodies;
- xvi. Review of the council's complaints procedure;
- xvii. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- xviii. Review of the council's policy for dealing with the press/media; and
- xix. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

6. Extraordinary meetings of the Council and Committees and Sub-committees

- 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 seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place 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 the sub-committee] at any time.
- d 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].

7. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. Voting on appointments

- a) Co-option will be carried out in accordance with the Council's agreed procedures.
- b) Prospective candidates have the opportunity to provide a one page written statement giving details of their experience and skills and stating why they wish to become a Parish Councillor. The written statement to be sent to the Clerk at least seven days prior to the meeting where co-option is to be considered by the Council.
- c) The Clerk will issue copies of all written statements to Members prior to the meeting.
- d) At the meeting, each candidate will be invited to add to their statement by speaking in front of Members for a maximum of 3 minutes, this will be done on an individual basis with any other candidates not being present.
- e) After all of the candidates have completed their statements Members will resolve whether to proceed with the vote. If Members agree to proceed, Members will vote by **signed** ballot. Candidates and any members of the public shall remain present. The ballot will be counted. The Clerk will announce the result of the ballot. The successful candidate will then sign the acceptance. The details of the votes for and against will not be disclosed unless formally requested by a Councillor during the meeting. At the end of the meeting ballot papers are destroyed.

- f) If there are more than 2 candidates for one position then voting will take place in a series of rounds where the candidate receiving the lowest number of votes drops out until only two candidates are left.
- g) The candidate receiving the highest number of votes will be offered the position and upon acceptance must sign the Declaration of Acceptance of Office before becoming a Councillor.
- h) In the event of a tied vote, the Council Chairman has a second and deciding vote, if he/she chooses to exercise it.
- i) If Members consider that none of the applicants are suitable they will defer the co-option and re-advertise the vacancy.
- j) ANY MEMBER NOT PRESENT AT THE COMMENCEMENT OF THE CANDIDATE'S VERBAL STATEMENT WILL NOT BE ENTITLED TO VOTE ON THEIR CO-OPTION.
- k) Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

NB Voting on appointments procedure adopted 20 February 2014

9. Motions for a meeting that require written notice to be given to the Proper Officer

- a A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 10 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing

order 9(b) 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 so that it can be understood at least 4 clear days before the meeting.

- e If the wording or subject of a proposed motion is considered 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 in the agenda or rejected.
- f Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

10. Motions at a meeting that do not require written notice

- a The following motions may be moved at a meeting without written notice to the Proper Officer;
 - i. 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.

11. Handling sensitive information

- 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.

12. Draft minutes

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, 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 meeting 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, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of conduct and dispensations

See also standing order 3(t) above and ref policy Code of Conduct for Members (Appendix 1)

- 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 the Proper Officer 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 13(d) and (f) above, dispensations requests shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [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 13(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.**

14. Code of conduct complaints

- a Upon notification by the District or County 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 14(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 [(England) and the council has agreed what action, if any, to take in accordance with standing order 14(d) below].
- c The council may:
 - 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;
- 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.**

15. Proper Officer

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
 - i. at least 3 clear days before a meeting of the council, a committee and a sub-committee serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer]. *See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3 (c) above for a meeting of a committee.*
 - ii. **give public notice of the time, place 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);** *See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a committee.*
 - iii. subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 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;**
- v. facilitate inspection of the minute book by local government electors;
- vi. **receive and retain copies of byelaws made by other local authorities;**
- vii. retain acceptance of office forms from councillors;
- viii. retain a copy of every councillor's register of interests;
- ix. assist with responding to requests made **under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;**
- x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- xi. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form **subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);**
- xii. arrange for legal deeds to be executed;
See also standing order 22 below.
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- xiv. record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the council to the chairman or in his absence vice-chairman of the Planning committee within two 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 Planning committee;
- xvi. manage access to information about the council via the publication scheme; and
- xvii. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.
- xviii. **Liase, as appropriate, with the Council's Data Protection Officer.**

See also standing order 22 below.

16. Responsible Finance Officer

- a The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. Accounts and accounting statements

- 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 governance and accountability return shall be presented to all councillors 14 days prior to the anticipated approval by the Council.** before the end of the following month of May. The **annual governance and accountability** 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.

18. Financial controls and procurement

- 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 18(c) below) including the setting of

values for different procedures where a contract has an estimated value of less than £25,000.

- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **A public contract regulated by the Public Contract Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant public thresholds in standing order 18(f) is subject to Regulations 109 -114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- 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:
 - 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.
- 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 **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contract Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**

- g A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in the OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19. Handling staff matters

- a A matter personal to a member of staff that is being considered by any meeting of the council, any committee or any sub-committee is subject to standing order 11 above.
- b Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chairman of the Council or, if he is not available, the vice-chairman of the Council of absence occasioned by illness or other reason and that person shall report such absence to the personnel sub-committee at its next meeting.
- c The chairman of the Council or in his absence, the vice-chairman of the Council shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Proper Officer. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the personnel sub-committee.
- d Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee shall contact the chairman of the Council or in his absence, the vice-chairman of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the personnel sub-committee.
- e Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the employee relates to the chairman or vice-chairman of the Council, this shall be communicated to another member of the Council, which shall be reported back and progressed by resolution of the personnel sub-committee.
- f Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.

- h Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(f) and (g) above if so justified.
- i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19(f) and (g) above shall be provided only to the Proper Officer and/or the Chairman of the Council.

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21

- a **In accordance with the freedom of information legislation, the Council shall publish information in accordance with its public information scheme and respond to requests for information held by the Council.**
- b *If gross annual income or expenditure (whichever is higher) does not exceed £25,00* **The Council, shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

OR

If the gross annual income or expenditure (whichever is higher) exceeds £200,000. **The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

21. Relations with the press/media

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

22. Execution and sealing of legal deeds

See also standing orders 15(b)(xii) and (xvii) above.

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b **Subject to standing order 22(a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.**

23. Communicating 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 ward councillor(s) of the District and County Council.
- b Unless the council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the ward councillor(s) representing the area of the council.

24. Restrictions on councillor activities

- a Unless authorised by a resolution, no councillor shall:
 - i. inspect any land and/or premises which the council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

25. Standing orders generally

- 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.