

PERRANARWORTHAL PARISH COUNCIL

STANDING ORDERS

1. Meetings

- a) Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.
- b) Smoking is not permitted at any meeting of the Council.
- c) **If a member fails throughout six consecutive months to attend any meetings of the council he ceases automatically to be a member of the council unless either he has a “statutory excuse” or his failure is due to a reason approved by the council or he attended as a representative of the council at a meeting of any body of persons. The period begins with the last meeting attended.**

2. 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.**
3. **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.**

4. Chairman of the Meeting

The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

5. Proper Officer

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

To receive declarations of acceptance of office.

To receive and record notices disclosing interests at meetings.

To receive and retain plans and documents.

To sign notices or other documents on behalf of the Council.

To 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.

6. Quorum of the Council

Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.

7. If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

8. Except where ordered by the Council the quorum of a committee shall be one half of its members.

9. Voting

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

10. 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.

11. (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 votes 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.

12. 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 outside bodies.
- g) To appoint committees.

and shall thereafter follow the order set out in the Standing Order 15

- 13. At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.**
14. In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees.
15. 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 matters arising from the previous meeting.
- e) To consider all matters relating to Planning.
- f) To consider Correspondence received.
- g) To deal with all matters of finance including, if necessary, the authorisation of the signing of cheques for payment.
- h) To deal with matters concerning the Playing Field.
- i) To deal with matters concerning Highways and Footpaths.
- j) To consider Any Other Business.
- k) To set the date of the Next Meeting of the Council.

16. 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.

17. Disorderly Conduct

- a) All members must observe the Code of Conduct which was adopted by the council on 25th April 2007 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.
- 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.

18. Resolutions on Expenditure

Any resolution 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 at the disposal of the Council, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

19. Expenditure

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

20. 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.

Voting in Committees

- 21. Members of committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.
- 22. **Chairmen of committees shall in the case of an equality of votes have a second or casting vote.**

23. Accounts and Financial Statement

- 1) Except as provided in paragraph (2) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- 2) 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.
- 3) All payments ratified under sub-paragraph (2) of this Standing Order shall be separately included in the next schedule of payments before the Council.

24. 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.

25. Estimates / Precepts

- 1) The council shall approve written estimates for the coming financial year at its meeting before the end of the month of November.

26. Interests

If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 25th April 2007 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

27. **If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber immediately after making representations, answering questions, or giving evidence.**

- 28. 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.**
29. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do 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 26 and 27 shall apply as appropriate.
30. The Clerk shall make known the purpose of Standing Order 29 to every candidate.
31. Canvassing of and Recommendations By Members
- 1) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
 - 2) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such 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.
32. Standing Order Nos. 29 & 31 shall apply to tenders as if the person making the tender were a candidate for an appointment.
33. Inspection of Documents
- A member may for the purpose of his 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.
- 34. All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

35. Unauthorised Activities

No member of the Council or of any 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.

36. Admission of The Public and Press to Meetings

The public and press shall be admitted to all meetings of the Council and its 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”

37. The Council shall state the special reason for exclusion.
38. At all meetings of the Council the Chairman may at his discretion and before the business of the meeting, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
39. 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.
40. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

41. Confidential Business

- 1) No member of the Council or of any committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council or the 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 of the Council by the Council.

42. Liaison with County and District Councillors

A summons and Agenda for each meeting shall be sent, together with an invitation to attend, to the County, Unitary or District Councillor for the appropriate division or ward.

43. Planning Applications

1) The Clerk shall keep a record of every planning application notified to the Council.

44. 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 £50,000.

2) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender as summarised in (3) below.

3) Any formal tender process shall comprise the following steps:

- a) a public notice of intention to place a contract to be placed in a local newspaper;
- b) a specification of the goods, materials, services and the execution of works shall be drawn up;
- c) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
- d) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
- e) tenders are then to be assessed and reported to the appropriate meeting of Council.

- 4) The Council is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 29, 31 & 32 regarding improper activity.
- 5) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

45. 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.

46. 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.

47. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

48. 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.