

Brompton Regis Parish Council Standing Orders. Revised and approved June 2017

* Throughout this document, he/him can be read as she/her as appropriate

1 Meetings

Mandatory for full Council Meetings ●

Mandatory for Committee Meetings ●

Mandatory for sub-Committee Meetings ●

- a **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- ● b **When calculating the 3 clear days for notice of a meeting to Councillors and the public, the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break, or of a Bank Holiday or a day appointed for public thanksgiving or mourning shall not count.**
- ● c **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by resolution which shall give reasons for the public's exclusions.**
- d Subject to 1c above, members of the public may make representations, answer questions and provide information at a meeting which they are entitled to attend in respect of business on the agenda or arising from it.
- e Subject to Standing Order 1(d) above, each member of the public is entitled to speak once only in respect of any business they wish to raise on the agenda, or not on the agenda, and shall not speak continuously for more than 2 minutes.
- f The Chairman of the meeting may direct that a response to a question posed or a comment made by a member of the public be referred to a Councillor for an oral response in the meeting only if appropriate, or to the clerk for a written response, or allow the matter to be discussed without prejudice in the meeting or be placed on a future agenda.
- g A member of the public shall raise his hand when requesting to speak.
- k A member of the public speaking at a meeting shall address their comments to the Chairman of the meeting.
- l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman of the meeting shall direct the order of speaking.
- ● m **Members of the public present at a meeting may not orally report or comment about a meeting as it takes place (for instance by 'phone, email or social media)**
- ● n **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the prior written consent of the Council.**
- ● o **Members of the press shall be provided with reasonable facilities to take their report of all or part of a meeting at which they are entitled to be present.**
- p **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in the Chairman's absence be done by, to or before the Vice-Chairman.**

- q **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 a meeting shall preside at the meeting.**
- ● ● r **Subject to a meeting being quorate all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- ● ● s **With the exception of the election of the Chairman, the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
- t **Unless Standing Orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
- ● ● u **The Minutes of a meeting shall include an accurate record of the following:**
 - the time and place of the meeting
 - the names of Councillors present and absent, and for those absent the reasons submitted and approved for that absence
 - interests that have been declared by councillors regarding business on the agenda
 - whether and when a councillor left the meeting when an item in which he had disclosed an interest left the meeting if there was public participation and an outline of the representations or comments made
 - the resolutions made.
- ● ● v **The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.**
- ● ● w **An interest arising from the Code of Conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting, shall be recorded in the Minutes. A councillor with voting rights who has a disclosable pecuniary interest, or another interest set out in the Code, in a matter being considered at a meeting is subject to statutory limitations or restrictions on the right to participate and vote on that matter.**
- x **No business may be transacted at a Council meeting unless at least one third of the whole number of members of the Council is present and in no case shall the quorum of a meeting be less than three.**
- ● ● y **If a meeting is or becomes inquorate no business shall be transacted.** The meeting shall be adjourned and outstanding business of that meeting shall be transacted at a following meeting.
- z **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.** The Council aims to meet monthly on the first Wednesday of each month. If there is no business to address meetings may be cancelled. Information on cancelled meetings is posted on the parish notice board and the community website and councillors are informed by email.

2 Annual Council Meetings

See Standing Order 1 above

- a **In an election year, the annual meeting of the Council shall be held on, or within the 14 days following, the day on which the newly elected Councillors 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 7.30pm.
- d The election of the Chairman (and Vice-Chairman if any) of the Council shall be the first business completed. The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in Office and preside at the 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 Council at the next annual meeting of Council.**
- h In an election year, if the current Chairman of the Council has not be re-elected as a member of the Council, he shall preside at the meeting until the successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect 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 In an election year the meeting shall include delivery by the Chairman and councillors of their acceptance of office forms and in other years shall include the delivery by the Chairman (and Vice Chairman) of acceptance of office forms.**

3 Extraordinary Meetings

See Standing Order 1 above

- a The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b If the Chairman of the Council does not, or refuses to, call an extraordinary meeting of the Council within seven days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.**
- c The Chairman of a Committee (or a sub-Committee) may convene an extraordinary meeting of the Committee or sub-Committee at any time.
- d If the Chairman of a Committee (or a sub-Committee) does not, or refuses to, call an extraordinary meeting of the Committee (or sub-Committee) within seven days of having been requested to do so by two members of the Committee (or sub-Committees), any two Councillors may convene an extraordinary meeting of a Committee (or Sub-Committee). The statutory public notice giving the time, venue and agenda showing the business to be transacted must be signed by those Councillors.**

4 Proper Officer and Responsible Financial Officer

The Council's Proper Officer shall fulfil the role of Responsible Financial Officer and shall be the Clerk or such other employee appointed by the Council to undertake those roles during the appointed person's absence. The Clerk and any employee appointed to act as such during absences shall fulfil the duties set out below.

- a. At least three days (not incl the day of the meeting, the day of the summons, a Sunday, a bank holiday or a day of public mourning) before a meeting of the Council, a committee or sub-**

committee **serve on Councillors, by email, hand delivery or post at their residences, a summons confirming the time, date, venue and the agenda of the meeting.**

- b. **Give public notice of the time, date, venue and agenda at least three clear days (see 5b i) before a meeting of the Council or a meeting of a Committee or a sub-Committee**
- c. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office**
- d. Make available for inspection the minutes of meetings.
- e. **Receive and retain copies of byelaws, Dog Control and other Orders made by other local authorities.**
- f. Receive and retain declaration of acceptance of office from Councillors.
- g. Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- h. Keep proper records required before and after meetings
- i. Act on decisions made at meetings, including correspondence and other representations to local organisations, individuals and local authorities.
- j. Process requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- k. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- l. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- m. Arrange for authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- n. Notify Councillors of planning applications notified to the Council and submit responses to them to the planning authority as instructed.
- o. Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

5. Rules of Debate

- a. Items included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's discretion for reason of expedience.
- b. An item on the agenda shall not be considered unless it has been proposed and seconded.
- c. An item on the agenda which has been suggested by Councillor who is not present may be treated as withdrawn.
- d. Items on an agenda may be amended through debate in meetings.
- e. When an item is under discussion only the following actions are permitted.
 - i. To amend the item
 - ii. To proceed to the next business
 - iii. To adjourn the debate
 - iv. To put the item to a vote

- v. To ask a person to be silent or to leave the meeting,
 - vi. To refer the item to a Committee or sub-Committee for consideration,
 - vii. To exclude press and public on grounds of sensitive information
 - viii. To adjourn the meeting
 - ix. To suspend a Standing Order, except those which are mandatory.
- f Before putting an item to a vote the Chairman will first be satisfied that it has been sufficiently debated before it is seconded. The Chairman shall then call upon the councillor who raised the item to exercise or waive the right to reply and shall put the item to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the right of reply at the resumption.

10 Code of Conduct

All Councillors shall observe the Code of Conduct adopted by the Council.

11 Interests

- a. If a councillor has a Disclosable Pecuniary Interest as defined in the Code of Conduct adopted by the Council in any matter to be considered, or being considered at a meeting then the councillor should declare that interest to the meeting as soon as it becomes apparent, disclosing the existence and nature of that interest as required. The councillor shall should withdraw from the room whilst any discussion or vote takes place.
- b. If a councillor has a personal interest (defined in the code as “other” interest) he shall declare the interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required. The councillor may still take part in the discussion and decision on the matter.
- c. All councillors must provide a record of their interests in a public register of interests. Councillors must inform the Clerk and the Monitoring Officer in writing within 28 days of taking office, or within 28 days of any change to their Register of Interests, of any interests which fall within the categories set out in the Code of Conduct.
- d. If a dispensation has been granted for a Councillor in relation to a Disclosable Pecuniary Interest then subject to the terms of the dispensation the Councillor may be relieved from the above restriction but will still be required to declare the interest to the meeting.
- e. An interest arising from the Code of Conduct adopted by the Council, the existence and nature of which is disclosed by a Councillor at a meeting shall be recorded in the minutes.

12 Dispensations

The power to grant dispensations is delegated to the Proper Officer of the Council, who in each case shall report on the circumstances to the Council and any Committee / Sub Committee prior to the item being considered. The provisions to grant a dispensation are that if, having had regard to all relevant circumstances, it is considered that:

- a) without the dispensation, the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business; or
- b) granting the dispensation is in the interests of the persons living in the Council area; or

- c) It is otherwise appropriate to grant a dispensation.

13 Non-attendance at meetings – 6 month rule

A Councillor failing throughout six consecutive meetings of Council, its Committees, sub-Committees or working parties, ceases automatically to be a member of the Council unless a satisfactory excuse exists, or absence is because of a reason approved by the Council before expiry of the period. The period begins from the date of the last attendance.

14 Urgent Business

When a decision is, in the opinion of the Chairman of the Council or a Committee Chairman too urgent to await the next appropriate meeting or is significant but cannot wait for calling a special meeting or the next ordinary meeting, the following procedure will be followed.

- A clear statement of the decision required, together with relevant background information, shall be circulated in writing to all Councillors or relevant Committee members, seeking their opinion by a specified deadline.
- If, by the specified deadline at least two-thirds of the Councillors have indicated that they would support one particular decision, this may be taken as a reasonable indication of the likely decision which would be made and any necessary action is taken accordingly.
- Confirmation of the decision will be sought at the next appropriate meeting.

15 Urgent non-controversial decisions

Any decision which, in the opinion of the Chairman of the Council or a Committee and the Clerk, is urgent and of a non- controversial nature may be made by the Chairman in consultation with the Vice Chairman and Clerk and all such decisions are reported to the next meeting of the Council or appropriate Committee for confirmation.

16 Delegation of Decision

Where the Council or a Committee is unable to make a decision during a meeting for whatever reason, it may defer with delegated authority to the Clerk working in consultation with the Chairman or relevant Committee Chairman, subject to any criteria which may be agreed by the Council or Committee.

17 Questions

A Councillor may seek an answer to a question concerning any business of the Council provided ten clear days' notice of the question has been given to the Clerk.

18 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes may be raised in the next following meeting or by email prior to that meeting. Amendments will be discussed by Council and approved or not.

- c Minutes, including any amendments to correct their accuracy, shall be confirmed by resolution of the next meeting 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, the minutes are signed and a paragraph in the following terms or to the same effect is added by the Chairman:

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

19 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of Standing Order 18(a) above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person is silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with Standing Order 18(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or may adjourn the meeting.

20 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within six months of its making except either by a special motion, the written notice thereof bears the names of at least four Councillors, or by a motion moved in pursuance of the report or recommendations of a Committee.
- b When a special motion or any other motion moved pursuant to Standing Order 19(a) above has been disposed of, no similar motion may be moved within a further six months.

21 Voting – General and on Appointments

- a Councillors shall vote by show of hands or, if at least two members request, by signed ballot.
- b If a Councillor so requires the Clerk shall record the names of the Councillors who voted on any questions so as to show whether they voted for or against it. Such a request must be made before moving onto the next business.
- c 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. Any tie may be settled by the Chairman’s casting vote.

22 Expenditure

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

23 Execution and sealing of legal deeds

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution in a full Council meeting.
- b In accordance with a resolution made under 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.

24 Committees

See also Standing Order 1 above.

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

- a. Shall determine their terms of reference,
- b. May permit Committees to determine the dates of their meetings,
- c. Shall appoint and determine the term of office of Councillor or non-Councillor members of such a Committee (unless the appointment of non-Councillors is prohibited by law) so as to hold office no later than the next annual meeting,
- d. May appoint substitute Councillors to a Committee whose role is to replace ordinary Councillors at a meeting of a Committee if ordinary Councillors of the Committee have confirmed to the Proper Officer before the meeting that they are unable to attend.

May in accordance with Standing Orders, dissolve a Committee at any time.

25 Sub-Committees

See also Standing Order 1 above.

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

26 Advisory Committees

See also Standing Order 1 above.

The Council may appoint advisory Committees comprised of a number of Councillors and non-Councillors.

27 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 31st March in each year a statement summarising the Council's receipts and payment for the previous year. This statement should include a comparison with the receipts and payments for the previous 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 Councillor before the end of the following month of May. The Statement of Accounts of the Council which is subject to both internal and external audit, including the annual governance statement, shall be presented to Council for formal approval before 30th June. If circumstances dictate, the date may be extended with permission from Council and the appointed external auditor.
- c All accounts for payment and claims upon the Council shall be laid before the Council.
- d Orders of payment shall be authorised by resolution of the Council and signed by two members.

28 Estimates / Precepts

- a **The Council shall approve a budget for the coming financial year** before the end of January.
- b The Council shall approve its Precept for the coming financial year in good time and in accord with the requirements of the higher tier authority requiring that information.

29 Canvassing of and recommendations by Councillors

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

30 Inspection of documents

- a Subject to Standing Orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a Committee or a sub-Committee, and request a copy for the same purpose.
- b The minutes of meetings of the Council, its Committees or sub-Committees shall be available for inspection by Councillors.

31 Confidential business

- a Councillors shall not disclose information given in confidence, or which they believe, or ought to be of a confidential nature.
- b A Councillor in breach of the provisions of Standing Order 31(a) above may be removed from a Committee or a sub-Committee by a resolution of the Council.

32 The General Power of Competence

- a Before exercising the power to promote the General Power of Competence, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish Council.
- b The Council's period of eligibility begins on the date that the resolution under Standing Order 32(a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
- c After the expiry of its preceding period of eligibility, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the General Power of Competence which was not completed before the expiry of the Council's preceding period of eligibility referred to in Standing Order 32(b) above.

33 Matters affecting Council employees

- a. If a meeting considers any matter personal to a Council employee, it shall not be considered until the meeting has decided whether or not the press and public shall be excluded pursuant to Standing Order 1(c) above.
- b. Any matters related to employment, grievance or disciplinary matters will follow ACAS guidelines.
- c. Any persons responsible for all or part of the management of a Council employee shall keep written records of all meetings relating to their performance, capabilities, grievance and disciplinary matters.
- d. The Council shall keep secure all written records relating to employees
- e. Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- f. Only persons with line management responsibilities shall have access to employee records referred

34 Freedom of Information Act 2000

All requests for information held by the Council shall be processed in accordance with the Freedom of Information Act 2000.

35 Relations with the press/ media

- a. The Council welcomes the interest of the press and media in its work and in attending meetings..
- b. Neither the clerk or any councillor shall speak to, or contact, representatives of the press or media on behalf of the Council without the prior agreement of the Council to do so. In urgent situations the agreement of the Chairman shall be sought.

36 Liaison with District and County Councillors

An invitation to attend ordinary meetings of the Council shall be sent, together with the minutes of the previous meeting, to the Councillors of the District and County Council representing the parish.

37 Financial matters

The Council shall review and approve financial controls, accounts and accounting information.

38 Allegations of breaches of the Code of Conduct

- a. On receipt of a notification that there has been an alleged breach of the Code of Conduct the Proper Officer shall refer it to the District Council Monitoring Officer.
- b. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer and who shall continue to act in respect of that matter until the complaint is resolved.
- c. Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d. The subject matter of notification shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman and Vice- Chairman of the Council shall take steps considered necessary to maintain confidentiality).

39 Variation, revocation and suspension of Standing Orders

- a. Any or every part of the Standing Orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b. A motion to permanently add to vary or to revoke one or more of the Council's Standing Orders not mandatory by law shall not be carried unless two-thirds of the Councillors at a meeting of the Council vote in favour of the same.

40 Standing orders to be given to Councillors

- a. The Council's Standing Orders shall be made available to all Councillors.
- b. The Chairman's decision as to the application of Standing Orders at meetings shall be final.
- c. A Councillor's failure to observe Standing Orders more than three times in one meeting may result in their exclusion from the meeting.

Adopted by Council

Date:

Signed:.....Chairman