HANNINGTON PARISH COUNCIL

STANDING ORDERS

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1 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 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 a resolution which shall give reasons for the public's exclusion.

d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.

e The period of time which is designated for public participation [in accordance with standing order 1(d) above] shall not exceed fifteen minutes.

f Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than five minutes.

g In accordance with standing order 1(d) above, a question asked by a member

of the public during a public participation session at a meeting shall not require a response or debate.

h In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to the Clerk for a written or oral response.

i A record of a public participation session at a meeting shall be included in the minutes of that meeting.

j A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking.

k Any person speaking at a meeting shall address his comments to the Chairman.

l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.

m Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior (written) consent.

n In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

o Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be

done by, to or before the Vice-Chairman (if any).

p 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.

q Subject to standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.

r 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. (*See also standing orders 2 (h) and (i) below.*)

s 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.

t The minutes of a meeting shall record the names of councillors present and absent.

u If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.

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. (*See also standing orders 6 and 7 below*.)

x No business may be transacted at a meeting unless at least three 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 3.

y If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

z Meetings shall not exceed a period of two hours, unless by unanimous agreement of all the councillors present and the clerk.

2 Ordinary Council meetings

See also standing order 1 above

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 8pm.

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 election of the Chairman and Vice-Chairman (if any) of the Council shall be the first business completed at the annual meeting 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 order of business shall be as follows.

i. In an election year, delivery by councillors of their declarations of acceptance of office.
ii. Confirmation of the accuracy of the minutes of the last meeting of the Council
iii. Review and adoption of appropriate standing orders and financial regulations.
iv. Review of representation on or work with external bodies and arrangements for reporting back.
v. In a year of elections, if a Council's period of eligibility to exercise the power of well being expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
vi. Review of inventory of assets.
vii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.

viii. Review of the Council's and/or employees' memberships of other bodies.

ix. Establishing or reviewing the Council's complaints procedure.

x. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.

xi. Establishing or reviewing the Council's policy for dealing with the press/media

xii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

3 Proper Officer

a The Council's Proper Officer shall be the Clerk. The Clerk shall fulfil the duties assigned to the Proper Officer in standing orders.

b The Council's Proper Officer shall do the following.

i. Upon the Council having first resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient, to agree to electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council provided any such email contains the electronic signature and title of the Proper Officer.

ii. Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).

iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least four 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, in accordance with standing order [3(b)i] OR [3(b)ii] above.

v. Make available for inspection the minutes of meetings.

vi. Receive and retain copies of byelaws made by other local authorities that affect

the parish.

vii. Receive and retain declarations of acceptance of office from councillors.

viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.

ix. Keep proper records required before and after meetings;

x. Process all 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.

xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.

xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.

xiii. Arrange for 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 the Vice-Chairman, of the Council within seven 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 Council.

xvi. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions requiring written notice

a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 21 clear days before the next meeting.

b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.

c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) 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 in clear and certain language at least 14 clear days before the meeting.

d If the wording or nature of a proposed motion is considered unlawful or 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 or rejected in the agenda.

e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.

f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.

g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.

h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions not requiring written notice

a Motions in respect of the following matters may be moved without written notice.

i. To appoint a person to preside at a meeting.
ii. To approve the absences of councillors.
iii. To approve the accuracy of the minutes of the previous meeting.

iv. To correct an inaccuracy in the minutes of the previous meeting.
v. To dispose of business, if any, remaining from the last meeting.
vi. To alter the order of business on the agenda for reasons of urgency or expedience.
vii. To proceed to the next business on the agenda.
viii. To close or adjourn debate.
ix. To consider a report and/or recommendations made by an employee, professional advisor, expert, consultant or councillor.
x. To authorise the payment of monies up to £600..
xi. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
xii. To extend the time limit for speeches.
xiii. To exclude the press and public for all or part of a meeting.
xiv. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
xv. To give the consent of the Council if such consent is required by standing orders.
xvi. To suspend any standing order except those which are mandatory by law.
xvii. To adjourn the meeting.
xviii. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
xix. To answer questions from councillors.

6 Code of conduct

a All councillors shall observe the code of conduct adopted by the Council.

b All councillors shall be given the opportunity to undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office. Failure to take up this opportunity will not be accepted as an excuse for any subsequent breach that may occur.

c If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or

pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in standing order 6(d) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.

d Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.

7 Questions

a A councillor may seek an answer to a question concerning any business of the Council provided five clear days notice of the question has been given to the Proper Officer.

b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.

c Every question shall be put and answered without discussion.

8 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 shall be raised in accordance with standing order 5(a)(iv) above.

c Minutes, including any amendment to correct their accuracy, 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 Hannington Parish Council held on [date] in respect of ( ) were a correct record but his view was not upheld by the majority of the councillors present 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 shall be destroyed.

9 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 9(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be 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 9(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

10 Rescission of previous resolutions

a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least two councillors of the Council, or by a motion moved in pursuance of the

report.

b When a special motion or any other motion moved pursuant to standing order 10(a) above has been disposed of, no similar motion may be moved within a further 6 months.

11 Voting on appointments

a 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.

12 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 an employee.

13 Extraordinary meetings

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 7 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.

14 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 Clerk shall be the Responsible Financial Officer (RFO). The RFO shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December each year a statement summarising the Council's receipts and payments for each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments) for a year to 31 March shall be presented to each councillor before the end of the month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

15 Estimates/precepts

a The Council shall approve written estimates for the coming financial year at its meeting before the end of January or earlier if necessary to comply with deadlines set by Basingstoke and Dean Borough Council.

16 Canvassing of and recommendations by councillors

a Canvassing councillors 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 shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for 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.

17 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 and request a copy for the same purpose. The minutes of meetings of the Council shall be available for inspection by councillors.

18 Unauthorised activities

a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council:

i. inspect any land and/or premises which the Council has a right or duty to inspect; or

ii. issue orders, instructions or directions.

19 Confidential business

a Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.

20 Matters affecting council employees

a If a meeting considers any matter personal to a Council employee, it shall not be

considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.

b Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by [the employee's job title] relates to the Chairman or Vice-Chairman this shall be communicated to another member of the Council which shall be reported back and progressed by resolution of the Council.

c The Chairman, having responsibility for the management of Council employees (the Clerk) shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.

d The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.

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 Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders above shall be provided only to the Chairman of the Council or a named councillor designated by the Council.

21 Freedom of Information Act 2000

a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.

b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Clerk to the chairman of the Council. Due to the need to comply with

strict deadlines, the Chairman shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

22 Relations with the press/media

a All requests from the press or other media for an oral or written statement or comment from the Council shall be referred to the Chairman for action.

b In respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

23 Liaison with County and Borough Councillors

a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Basingstoke and Deane Borough Council and to Hampshire County Council.

b Unless the Councils otherwise order, a copy of each letter sent to the Borough and County Council shall be sent to the District or County Councillor representing its electoral ward.

24 Financial matters

a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer (the Clerk), which shall include detailed arrangements in respect of the following:

i. the accounting records and systems of internal control;
ii. the assessment and management of financial risks faced by the Council;
iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
iv. the inspection and copying by councillors and local electors of the Council's

accounts and/or orders of payments;

v. procurement policies (subject to standing order 24(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £1,000.

b Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £1,000 shall be procured on the basis of a formal tender as summarised in standing order 24(c) below.

c Any formal tender process shall comprise the following steps:

i. a public notice of intention to place a contract to be placed in a local newspaper;
ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.

d The Council is not bound to accept the lowest tender, estimate or quote.

25 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 Council.

b Where the notification relates to a complaint made by the Proper Officer, about the actions of a Councillor, the Proper Officer shall notify the Chairman who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

c The subject matter of notifications shall be confidential and, insofar as it is possible to

do so by law, the Council (including the Proper Officer and the Chairman shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.

i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
ii. Ensure that any background papers containing the information set out in standing order 25(a) above are not made public.
iii. Ensure that the public and press are excluded from meetings as appropriate.
iv. Ensure that the minutes of meetings preserve confidentiality.
v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

d Standing order 25(c) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman from disclosing information to members of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.

e The Council shall have the power to:

i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
ii. seek and share information relevant to the complaint;
iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.

g References in standing order 25 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

26 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 add to or vary or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a special motion, the written notice whereof bears the names of as least two councillors.

27 Standing orders to be given to councillors

a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.

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 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.