

LOWER BEEDING PARISH COUNCIL

Standing Orders

Revised March 2011

INDEX

Standing Orders		Page
1	Meetings	2
2	Ordinary Council Meetings	3
3	Proper Officer	4
4	Motions requiring written notice	5
5	Motions not requiring written notice	6
6	Rules of Debate	7
7	Code of Conduct	9
8	Questions	9
9	Minutes	9
10	Disorderly Conduct	9
11	Voting on Appointments	10
12	Expenditure	10
13	Extraordinary Meetings	10
14	Accounts and Financial Statement	10
15	Precept	11
16	Inspection of Documents	11
17	Unauthorised Activities	11
18	Confidential Business	11
19	Matters affecting Council Employees	11
20	Freedom of Information Act 2000	12
21	Relations with press/media/public	12
22	Liaison with District & County Councillors	12
23	Financial Matters	12
24	Standing Orders to Councillors	13

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. They should take place in the Church Room, Handcross Road on a bi-monthly basis on the fourth Tuesday of the month, i.e. January, March, May, July, September and November unless otherwise advised. Meetings should commence at 7.30 pm or, if requested, at 7.00 pm.**
- 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. (See Standing Order 27c below)**
- d **Subject to Standing Order 1c 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 at the time stipulated.**
- e **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the consent of the Council.**
- f **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.**
- g **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).**
- h **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 Vice Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- i **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.**
- j **Subject to model standing order 1p below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- k **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.

- l **The minutes of the meeting shall record the names of the Councillors present and absent.**
- m **The Code of Conduct adopted by the Council shall apply to all Councillors in respect of the entire meeting.**
- n **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.**
- o **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.**
- p **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.**

2 Ordinary Council meetings

- a **In an Election Year the Annual Meeting of the Council shall be held on or within fourteen 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 6 pm.**
- 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 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 or he/she is re-elected..**
- 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 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 and must give a casting vote in the case of an equality of votes.**
- f Following the elections the meeting will continue as normal, i.e.
 - i Apologies for absence
 - ii Declarations of Interest
 - iii Minutes of the previous meeting shall be agreed
 - iv After the Minutes have been signed the meeting may continue in the following format:
 - a Matters arising
 - b Matters for consideration
 - c Planning applications :-
 - Applications considered out of meeting owing to urgency
 - Applications for consideration at meeting
 - Outcome of previous applications for information
 - d County Councillor's Report
 - e District Councillor's Report
 - f Highways and Pathways
 - h Finance

3 **Proper Officer**

- a The Council's Proper Officer^r is the Clerk; in the absence of the Clerk another person may be nominated to undertake the role of Clerk and shall act as such during the Proper Officer's absence and fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following:-
 - i **Sign and serve on Councillors electronically or by post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council at least three clear days before the meeting.**
 - ii **Give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

- iii **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 above.**
- iv Make available for inspection the minutes of meetings
- v **Receive and retain copies of byelaws made by other local authorities.**
- vi **Receive and retain declarations of acceptance of office from Councillors**
- vii Retain a copy of every Councillor's Register of Interests and any changes to it, and keep copies available for inspection.
- viii Keep proper records required before and after a meeting.
- ix 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.
- 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 and storage of and access to information held by the Council in paper and electronic form.
- xii Arrange for legal documents/cheques to be signed by two Councillors and witnessed.
- 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 Planning Committee within two working days of receipt.
- xvi Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 **Motions requiring written notice**

- a 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 five clear days before the next meeting.

- b The Proper Officer^r may, before including a motion in the agenda received in accordance with the above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer^r considers the wording of a motion received in accordance with the 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 three 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 or 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 the 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 refer by formal delegation a matter to another person or committee
 - x To appoint a committee or Councillors thereto
 - xi To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xii To authorise the payment of monies.

- 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 Rules of debate

- a Motions 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 direction for reasons of expedience.
- b A motion shall not be considered unless it has been proposed and seconded.
- c A motion included in an agenda not moved by the Councillor who tabled it may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either :
 - i to leave out words
 - ii to add words
 - iii To leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i One or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

- j The number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding five minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o A Councillor may not speak further in respect of an one motion except to speak once on an amendment moved by another Councillor or to make a point of order or to give a personal explanation.
- 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 irregularity in the meeting he is concerned by.
- q A point of order shall be decided by the Chairman and his decision is final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s When a Councillor's 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 silent or for him to leave the meeting
 - vi to refer a motion to a committee for consideration
 - vii to exclude the public and press
 - viii to adjourn the meeting
 - ix to suspend any standing order, except those which are mandatory
- t The Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to

exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 Code of conduct

- a **All Councillors shall observe the code of conduct adopted by the Council**
- b **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 7c 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.**
- c **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, and (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room.**

8 Questions

- a A Councillor may seek an answer to a question concerning any business of the Council, provided three 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.

9 Minutes

- a 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.

10 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 10a 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 10b 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.

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 **The Council's financial regulations shall be reviewed once a year**
- b **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 or 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 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.**

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.

- b The Responsible Financial Officer shall supply to each Councillor, at the November meeting, a budget for the financial year following, together with details of the previous year for comparison. Councillors will be provided with details of the Receipt and Payments Account for the year just ended, together with details of the financial year as submitted to the Auditors.

15 Precept

- a **The Council shall approve written estimates for the coming financial year** at its meeting in November, as above.

16 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 request a copy for the same purpose. The minutes of meetings may be viewed by the public by appointment to do so.

17 Unauthorised activities

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

issue orders, instructions or directions.

18 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.

19 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 orders 1c above.
- b Subject to the Council's policy regarding absences from work, the Clerk shall notify the Chairman of any absence occasioned by illness or urgency.
- c The Council shall keep written records relating to employees secure.
- d In every year, not later than the meeting at which the estimates for the next year are settled, the Council shall review the pay and conditions of employees.

20 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 Proper Officer to the Chairman. 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.

21 Relations with the press/media/public

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.
- c **The public shall be admitted to all meetings of the Council which may, however, temporarily exclude the public** on the grounds that they involve the likely disclosure of exempt information.
- d At the commencement of business of all Council meetings there will be time set aside for the public to raise questions, express concerns or make statements.

22 Liaison with District and County Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the County Councillor and District Councillor representing its electoral ward.

23 Financial matters

- 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 accounting records and systems of internal control
 - ii the assessment and management of financial risks
 - iii the work of the Internal Auditor
 - iv the inspection and copying by Councillors and local electors of Council's accounts

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