

**HORNINGLOW AND ETON**

**PARISH COUNCIL**

**STANDING ORDERS**



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## **1 MEETINGS**

- 1.1 Meetings of the council shall be held at either St Chads Community Centre, Carver Road Scout Hut or Carver Road Community Centre, at 19.00., unless the council decides otherwise at a previous meeting. Meetings shall take place at premises free of charge or those at a reasonable cost.
- 1.2 The Statutory Annual General Meeting in an election year shall be held on the fourth day after the date of the election or within fourteen days thereafter. In a year which is not an election year, the meeting will be held on any day in May
- 1.3 At least six additional meetings shall also be held on the second Tuesday of the month, except in August.
- 1.4 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 reason.
- 1.5 Any person speaking at a meeting shall address his comments to the chair. 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. During debates at meetings, councillors must address the chair.
- 1.6 Photography, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the council's prior consent.
- 1.7 Any persons obstructing the transaction of business at a meeting or behaving offensively or improperly at a meeting shall be requested to be silent or be asked to leave the meeting. If this is disobeyed, the chairman may adjourn the meeting.
- 1.8 Any councillor wishing to discuss items at meetings, must supply a summary of the discussion to the clerk within 1 week of the scheduled parish council meeting along with duration please.
- 1.9 Attendance is key to parish council meetings, the reasons for attendance, who has/has not contacted the clerk will be recorded in the minute book.

## **2 CHAIRMAN OF MEETING**

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

## **3 PROPER OFFICER**

- 3.1 Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he or she shall be the Clerk:-

To receive declarations of acceptance of office  
To receive and record notices disclosing pecuniary interests  
To receive and retain plans and documents  
To sign notices and other documents on behalf of the council  
To receive copies of bye-laws made by the District Council  
To certify copies of bye-laws by the Council  
To sign summonses to attend meetings of the council.

- 3.2 In any other case the proper officer shall be the person nominated by the council and, in default of nominations, the Clerk.

#### **4 QUORUM**

- 4.1 Three members shall constitute a quorum  
4.2 If a quorum is not present when the Council meets or if during a meeting the number of councillors present and not debarred by reason of declared interest, falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such a day as the Chairman may suggest.  
4.3 Most members of sub committees must be present for proposals to be made

#### **5 VOTING**

- 5.1 Members shall vote by show of hands or if at least two members request, by signed ballot. Voting of chair/vice chair at annual general meeting will always be via signed ballot.  
5.2 If a member requires, the clerk shall record the names of the members who vote on any question so as to show whether they voted for or against it.  
5.3 The chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote.

#### **6 ORDER OF BUSINESS**

- 6.1 At each annual general meeting of the council the first business shall be:-  
To elect a chair  
To receive the chairmans declaration of acceptance of office  
To decide when any declarations of acceptance of office, which have not been received as provided by law, shall be received  
To elect a vice chair  
To appoint sub committees
- 6.2 At every meeting in the event of the chair or vice chair absent a chair will be appointed
- 6.3 Every year the council shall review the pay and conditions of service of existing staff

- 6.4 After the first business has been considered, the order of business, unless the council otherwise decides on the grounds of urgency, shall be as follows:-

Read and consider the minutes of the last meeting  
After consideration of the minutes to approve the signature of the minutes  
Deal with business expressly required by statute to be done  
To dispose of business remaining from the last meeting  
To answer questions  
To receive and consider reports and minutes of committee  
To receive and consider reports from officers of the council  
To authorise the signing of orders for payment  
A motion to vary the order of the business on the grounds of urgency may be proposed by the chair without being seconded

## **7 RESOLUTIONS WITHOUT NOTICE**

- 7.1 Resolutions dealing with the following matters may be moved without notice:

To appoint a chairman of the meeting  
To correct the minutes  
To approve the minutes  
To alter the order of business  
To proceed to the next business  
To close or adjourn the debate  
To refer the matter to a committee  
To appoint a committee or any members thereof  
To adopt a report  
To amend a resolution  
To exclude the public  
To silence or eject from the meeting a member named for misconduct  
To invite a member having an interest in the subject matter under a debate to remain  
To give the consent of the council where such a consent is required by these standing orders  
To suspend any standing order

## **8 CORRECTIONS TO MINUTES**

- 8.1 No discussion shall take place upon the minutes except their factual accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the chair.

## **9 DISORDERLY CONDUCT**

- 9.1 No member shall persistently disregard the ruling of the Chair, wilfully obstruct business or behave irregularly, offensively, improperly or in such a manner as to scandalise the council or bring it into contempt or ridicule.

- 9.2 If, in the opinion of the chair, a member has broken the above provision, the chair can express the opinion to the council and thereafter any member may move that named person to be no longer heard or be asked to leave the meeting.
- 9.3 If either of the motions mentioned in item 9.2 is disobeyed, the chairman may suspend the meeting or take such steps as may be reasonably necessary to enforce them.
- 9.4 Councillors who perform persistent disorderly conduct will be reported to the standards committee by the chair.

## **10 VOTING ON APPOINTMENTS**

- 10.1 Where more than two persons have been nominated for any position to be filled by the council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

## **11 EXPENDITURE**

- 11.1 Orders for the payment of money shall be authorised by resolution of the council and signed by two members. Cheque counterfoils and invoices will also be initialled by two members of the council.

## **12 COMMITTEES AND SUB COMMITTEES**

- 12.1 The council may at the annual meeting appoint sub committees/committees
- 12.2 Sub committees can dissolve at any time or alter the membership
- 12.3 The chair or vice chair can be members of sub committees
- 12.4 Every committee shall at its first meeting elect a chair who shall hold office
- 12.5 The chairman of the council, or chairman of the sub committee may summon an additional meeting of that committee at any time.
- 12.6 Where possible all members of the council will be on a sub committee
- 12.7 Finance committee – The finance committee will have responsibility to audit cash book, propose budget, propose precept, guide the full council accordingly.

## **13 VOTING IN COMMITTEES**

- 13.1 Members of committees and sub committees shall vote by show of hands or at least two members request, by a signed ballot
- 13.2 Chairman of committees and sub committees shall in the case of an equality of votes have a second or casting vote

## **14 ACCOUNTS AND FINANCIAL STATEMENT**

- 14.1 The finance committee shall formulate proposals in respect of revenue and capital costs for the financial year to present to the full council not later than the end of January of each year.
- 14.2 No expenditure will be incurred that will exceed the total amount provided in the budget.
- 14.3 The clerk may incur expenditure on behalf of the council for the supply of goods and services to a limit of £500.
- 14.4 All accounting procedures and financial records of the council shall be determined by the clerk as required by the Accounts and Audit Regulations 1996.
- 14.5 The clerk shall be responsible for completing the annual financial statements of the council as soon as practicable after the end of the financial year and shall submit them and report to the council.
- 14.6 The clerk shall be responsible for completing the accounts of the council contained in the annual return and for submitting the annual return for approval and authorisation by the council within the timescales set by the Audit Commission.
- 14.7 The finance committee shall review accounts every quarter checking income and expenditure to date as well as checking invoices against payments.
- 14.8 The councils banking arrangements shall be made by the clerk and approved by the council.
- 14.9 To indicate agreement of expenditure, invoices and cheque counterfoils will be initialled by the signatories. The clerk will not act as a council signatory.
- 14.10 Payment of salaries and expenses shall be made in accordance with payroll and expenses records.
- 14.11 The clerk shall promptly complete any VAT return that is required. VAT returns will be authorised by the finance committee.
- 14.12 The clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the council.
- 14.13 The clerk shall give prompt notification to the council of all new risks affecting existing insurances.
- 14.14 It shall be the duty of the council to review the financial regulations of the council from time to time.

Further information can be obtained in the parish Financial Regulation documentation

## **15 INTERESTS**

- 15.1 If any member has any pecuniary interest, direct or indirect in any contract or other matter, he/she shall while it is under consideration by the Council withdraw from the meeting unless the interest is trivial.
- 15.2 The council could invite the member to remain
- 15.3 The contract, proposed contract or other matter is under consideration as part of the report of a committee and is not itself the subject of debate
- 15.4 The clerk shall record in a book kept for the purpose, particulars of any notice given by any member or any officer of the council of a pecuniary interest in a

contract and the book shall be open during reasonable hours of the day for inspection of any member

- 15.5 If a candidate for any appointment under the council is to his knowledge related to any member of or holder of any office under the council, he/she and the person to whom she/he is related shall disclose the relationship in writing to the clerk. A candidate who fails to do so shall be disqualified for such appointment and, if appointed, may be dismissed without notice.

## **16 GIFTS AND HOSPITALITY**

Councillors must register any gifts or hospitality worth £25 or over, within 28 days of receipt that they receive in connection with their official duties as a member. If councillors are in doubt as to the motive of the gift please speak to the parish clerk.

## **17 DATA PROTECTION**

The parish council is registered under the Data Protection Act for holding personal data. The council has a duty to protect this information and keep it up to date.

## **18 WHISTLE BLOWING**

The parish council is committed to openness and accountability. We therefore encourage all councillors to come forward to raise any serious concerns about any aspects of the council rather than overlooking a problem and blowing the whistle outside. If any councillor has any concerns, please speak to the clerk direct.

## **19 WEBSITE**

The council has a website which is registered with a leading search engine. The site is updated regularly. The site is also reviewed on an annual basis.

## **20 RISK MANAGEMENT PLAN**

The council review all risks on an annual basis. Some of the risks reviewed are:-

Code of conduct  
Council meetings  
Data Protection  
Employment of staff  
Financial management  
Land

Litter  
Open spaces  
Provision of office accommodation  
Newsletters

## **21 CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- 21.1 Canvassing of members or of any committee, directly or indirectly, for any appointment under the council shall disqualify the candidate for such appointment.
- 21.2 A member of the council shall not solicit for any person any appointment under the council or recommend any person for such appointment or for promotion: but, nevertheless, a member may give a written testimonial for submission to the council with an application for appointment

## **22 INSPECTION OF DOCUMENTS**

- 22.1 A member may for any purpose of his duty as such, inspect any document in the possession of the council or committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- 22.2 All minutes of meetings shall be open for the inspection of any member of the council and the public

## **23 UNAUTHORISED ACTIVITIES**

- 23.1 No member of the council or of any committee or sub committee shall in the name of or on behalf of the council inspect any lands or premises which the council has a right or duty to inspect or unless authorised to do so by the council or the relevant committee or sub committee

## **24 ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

- 24.1 The public shall be admitted to all meetings of the council and its committees and sub committees, which may, however, temporarily exclude the public by means of the following:

“In view of the special, confidential nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw”

- 24.2 The clerk shall ensure the press have reasonable facilities for taking their report of any proceedings at which they are entitled to be present
- 24.3 If a member of the public interrupts the proceedings at any meeting, the chairman may, after warning, order that he/she be removed from the meeting
- 24.4 Fifteen minutes will be the time set aside to receive statements from the public, any one member of the public shall have no more than three minutes to deliver their statement.

- 24.5 Borough and county councillors are invited to meetings and where applicable brief reports will be given. Borough and county councillors are invited to meetings. They will produce reports for the clerk to submit to councillors prior to the full council meeting. Parish councillors who have questions for borough or county councillors must submit these to the clerk 1 week before a formal parish council meeting so that the clerk can distribute to the relevant councillor.

## **25 CONFIDENTIAL BUSINESS**

- 25.1 No member of the council or of any committee or sub committee shall disclose to any person not a member of the council any business declared to be confidential by the council, the committee or the sub committee as the case may be
- 25.2 Any member in breach of the provision shall be removed from any committee or sub committee of the council by the council.

## **26 LIAISON WITH DISTRICT/BOROUGH/COUNTY COUNCILLORS**

- 26.1 A notice of meeting shall be sent together with an invitation to attend to District Councillors for the ward.
- 26.2 All parish council communication will be dealt with by the clerk unless otherwise stated at a parish council full committee meeting

## **27 PLANNING APPLICATIONS**

- 27.1 The clerk shall as soon as it is received refer planning applications to the planning sub committee.
- 27.2 No individual members of the planning committee are delegated to make comments on the applications received. Any planning application comments/decisions will be reported by the clerk or chair of the planning sub committee.
- 27.3 All members of the council will receive information on appropriate planning applications received so that any members not on the planning committee may attend ESBC meetings to observe.
- 27.4 An elected member of the planning subcommittee or the clerk will attend ESBC planning committee meeting to represent the council if appropriate.
- 27.5 Any members of the planning sub committee may engage in discussion about any planning application with members of the public, but should ensure that the council is not bought into disrepute. Where possible members should encourage the resident to attend/take part in the parish council planning sub committee meeting to review the plans in the public participation section of the meeting.

27.6 Comments submitted to ESBC for planning applications will be recorded by the Clerk at the meeting and forwarded to ESBC the following day.

27.7 The clerk has delegated responsibility for the following developments:-

- Fence/gates/garden walls
- Removal of fencing
- Hedges
- Single storey rear extension
- No extension higher than highest point of the housing roof
- Porches
- Chimney/signs
- Conservatories

## **28 CODE OF CONDUCT OF COMPLAINTS**

28.1 The council shall deal with complaints of maladministration recommended by the Association of Local Councils and in line with the councils complaint procedure.

## **29 DIGNITY TO WORK**

29.1 All councillors and employees will ensure that everyone is treated with dignity and respect. Any councillor or employee who is offensive, abusive, intimidating, abuses power, makes recipient feel threatened or vulnerable following investigation will be dealt with appropriately. Examples include, inappropriate use of e mails, imposing inappropriate tasks,.

## **30 PRESS LIAISON**

- 30.1 Any parish councillor who receives a phone call from a journalist asking for comments should refer the journalist to the clerk,
- 30.2 Councillors who feel that the press should be contacted to give an opinion on a local issue should consult with the clerk.
- 30.3 Any response to any request of this nature should be compiled by the clerk or chair
- 30.4 Councillors who wish to express a personal opinion to local issues, they write to the local press signing themselves in a personal capacity, making it clear it is a personal opinion.
- 30.5 In stances where Parish councillors are also borough/county, they should refrain from commenting on Parish matters by using the artifice of their borough/county council role.