

Bilton in Ainsty with Bickerton Parish Council Standing Orders

- 1 Meetings
 - a) Ordinary meetings of the Council shall be held on such dates and times and at such place as the Council may direct.
 - b) Smoking is not permitted at any meeting of the Council.

- 2 The Statutory Annual Meeting
 - a) In an election year the Annual Parish Meeting shall be held on or within 14 days following the day on which the Councillors elected take up their office and
 - b) In a year which is not an election year the Annual Parish Council meeting shall be held on such day in May as the Council may direct.

- 3 In addition to the Statutory Annual Parish Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.

- 4 Chairman of the Meeting

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

- 5 Proper Officer

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

 - To receive declarations of acceptance of office.
 - To receive and record notices disclosing interests at meetings.
 - To receive and retain plans and documents.
 - To sign notices or other documents on behalf of the Parish Council.
 - To sign and issue the summons to attend meetings of the Parish Council.
 - To keep proper records for all Parish Council meetings.

- 6 Quorum of the Council

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

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

- 8 For a quorum relating to a committee, please refer to Standing Order 48.

- 9 Voting

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

- 10 If a member so requires, the Clerk shall record the names of members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving to the next business.

- 11 (1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.

Bilton in Ainsty with Bickerton Parish Council

Standing Orders

(2) If the person presiding at the annual meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chairman and Vice Chairman until the end of their term of office he may not give an original vote in an election for Chairman.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

12 Order of Business

At each Annual Parish Council Meeting the first business shall be:-

- a) To elect a Chairman of the Council.**
- b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
- d) To decide when any declaration of acceptance of office which have not been received as provided by law shall be received.**
- e) To elect a Vice-Chairman of the Council**

And shall thereafter follow the order set out in the Standing Order 15.

13 At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's Code of Conduct as are required by law to be made or, if not then received, to decide when they shall be received.

14 In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of the Clerk. Standing Order 38 must be read in conjunction with this requirement.

15 After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:-

- a) To read and consider the Minutes: provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the Meeting, the minutes may be taken as read.**
- b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
- c) To deal with business expressly required by statute to be done.**
- d) To dispose of matters arising from the previous Minutes and any overflow agenda items from the last meeting.**
- e) To receive such communications as the person presiding may wish to lay before the Council.**
- f) To answer questions from Councillors.**
- g) To receive and consider resolutions or recommendations in the order in which they have been notified.**
- h) If necessary, to authorise the signing of orders for payment.**

16 Urgent Business

A motion to vary the order of business on the grounds of urgency:

- a) May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and**
- b) Shall be put to the vote without discussion.**

Bilton in Ainsty with Bickerton Parish Council

Standing Orders

17 Resolutions Moved on Notice

Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 3 clear days excluding weekend days, before the next meeting of the Council.

18 The Clerk will include an item in the Minutes of each Parish Council meeting, recording those items to be included in the next summons, for discussion at the following meeting of the Council.

19 The Clerk shall include in each summons, all those items notified for discussion at the Parish Council Meeting.

20 If an item included in the summons for a Parish Council Meeting does not require formal discussion when the meeting is held, the minutes of the meeting will record 'nothing to report'.

21 If an item included in the summons is a subject which has been referred to a working party of the Council, the Chairman of that Working party will be invited to report the current position to the Council Meeting.

22 Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

23 Resolutions Moved Without Notice

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

- a) To appoint a Chairman of the Meeting.
- b) To correct the Minutes.
- c) To approve the Minutes.
- d) To alter the order of business.
- e) To proceed to the next business.
- f) To close or adjourn the discussion.
- g) To refer a matter to a Working Group.
- h) To appoint a Working Group or any member thereof.
- i) To adopt a report.
- j) To authorise the signing of documents.
- k) To amend a resolution.
- l) To give leave to withdraw a resolution or amendment.
- m) To extend the time limit for speeches.
- n) To exclude the press or public (see Order 64 below).
- o) To silence or eject from the Meeting a member named for misconduct (see Order 33 below).
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- r) To suspend any Standing Order (see Order 74 below).
- s) To adjourn the Meeting.

24 Questions

A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided 3 clear days notice excluding weekend days, of the question has been given to the person to whom it is addressed.

25 No questions not connected with business under discussion shall be asked except during the part of the Meeting set aside for questions.

Bilton in Ainsty with Bickerton Parish Council

Standing Orders

- 26 Every question shall be put and answered without discussion.
- 27 A person to whom a question has been put may decline to answer.
- 28 Rules of Discussion
No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by recording the correction necessary in the Minutes of the current Meeting and by correcting the earlier Minutes before re-printing, ready for signing by the Chairman.
- 29 a) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- b) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- c) No speech by a mover of a resolution shall exceed 5 minutes except by consent of the Council.
- d) An amendment shall be either:-
- i) To leave out words.
 - ii) To leave out words and insert others.
 - iii) To insert or add words
- e) An amendment shall not have the effect of negating the resolution before the Council.
- f) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- g) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- h) The mover of a resolution or of an amendment shall have a right of reply not exceeding 5 minutes.
- i) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- j) A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.
- k) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- l) When a resolution is under discussion no other resolution shall be moved except the following:-
- i. To amend the resolution.
 - ii. To proceed to the next business.
 - ii. To adjourn the discussion.
 - iv. That the question be now put.
 - v. That a member named be not further heard.
 - vi. That a member named leave the Meeting.
 - vii. That the resolution be referred to a Working Group.
 - viii. To exclude the public and press.
 - ix. To adjourn the Meeting.
- 30 A member shall remain seated when speaking unless requested to stand by the Chairman.

Bilton in Ainsty with Bickerton Parish Council

Standing Orders

- 31 a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- b) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
- c) Whenever the Chairman speaks during a discussion all other members shall be silent.

32 Closure

At the end of any speech, a member may, without comment, move 'that the question be now put', 'that the discussion be now adjourned' or 'that the Council do now adjourn'. If such motion is seconded, the Chairman shall put the motion but, in the case of a motion 'that the question be now put', only if he is of the opinion that the question before the Council has been sufficiently discussed. If the motion "that the question be now put" is carried, he will call upon the mover to exercise or waive his right of reply and will put the question immediately after that right has been exercised or waived. The adjournment of a discussion or of the Council will not prejudice the mover's right of reply at the resumption.

33 Disorderly Conduct

- a) **All members must observe the Code of Conduct which was adopted by the Council on 25 June 2007 (minute item 8.4) and 26 November 2007 (minute item 4.2 k) section 12(2), a copy of which is annexed to these Standing Orders.**
- b) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute.**
- c) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (b) of the Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting and the motion, if seconded, shall be put forthwith and without discussion. **If a member reasonably believes another member is in breach of the Code of Conduct, that member is under a duty to report the breach to the Standards Board.**
- d) If either of the motions mentioned in paragraph (c) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

34 Right of Reply

The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed, the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right to reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

35 Alteration of Resolution

A member may, with the consent of his seconder, move amendments to his own resolution.

36 Rescission of Previous Resolution

- a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice of which bears the names of at least 3 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee.

Bilton in Ainsty with Bickerton Parish Council

Standing Orders

- b) When a special resolution or any other resolution moved under the provisions of paragraph (a) of this order has been disposed of, no similar resolution may be moved within a further six months.

37 Voting on Appointments

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.

38 Discussions and Resolutions Affecting Employees of the Council

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of any person employed by the Council, it shall not be considered until the Council has decided whether or not the press and public shall be excluded. (See Standing Order No 64).

39 Resolutions on Expenditure

Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Working Group after recommendation by the Finance Working Group) and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any Council, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council and is affected by it shall consider whether it desires to report thereon (and the Finance Working Group shall report on the financial aspects of the matters).

40 Expenditure

Orders for the payment of money shall be authorised by resolution of the Council and recorded in the minutes of the Meeting.

41 Signing of Documents

- a) A document shall not be signed on behalf of the Council unless its signing has been authorised by a resolution.
- b) Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this Order may sign on behalf of the Council, any document required by law to be issued under signature.

42 The Council may at its Annual Meeting appoint Working Groups and may at any other time appoint such Working Groups as are necessary, but subject to any statutory provision in that behalf:-

- a) Shall not appoint any member of a Working Group so as to hold office later than the next Annual Meeting.
- b) May appoint persons other than members of the Council to any Working Group;
And
- c) May subject to the provision of Standing Order 36 above at any time dissolve or alter the membership of a Working Group.

43 The Chairman and/or Vice Chairman, ex officio, may be invited to be included in the membership of any Working Group formed and shall then be voting members of that Working Group.

Bilton in Ainsty with Bickerton Parish Council

Standing Orders

- 44 Every Working Group shall at its first meeting before proceeding to any other business, elect a Chairman and may if required elect a Vice Chairman who shall hold office until the next Annual Meeting of the Council and shall if necessary settle its programme of meetings for the year.
- 45 Special Meeting
The Chairman of a Working Group or the Chairman of the Council may summon an additional meeting of that Working Group at any time. An additional meeting shall also be summoned on the requisition in writing, of not less than a quarter of the members of the Working Group. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- 46 Working Groups
Working Groups may not appoint others to carry out their duties.
- 47 Except where ordered by the Council in the case of a Working Group, the quorum of a Working Group shall be one half of its members.
- 48 The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to Working Group meetings.
- 49 Voting in Committees
Members of Working Groups entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.
- 50 Chairmen of Working Groups shall in the case of an equality of vote have a second casting vote.**
- 51 Presence of Non-Members of Committees at Committee Meetings
A member who has proposed a resolution, which has been referred to any Working Group of which he is not a member, may explain his resolution to the Working Group but may not vote.
- 52 Accounts, Financial Statements, Estimates and Precepts
Financial Regulations were adopted for the Parish Council on 22.04.08 and are attached to these Standing Orders. Until amended, the Financial Regulations as adopted will form the basis of all relevant actions taken by the Parish Council.
- 53 Interests
If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 25 June 2007 and 26 November 2007 (section 12(2)) then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- 54 **If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.**
- 55 **The Clerk is required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**

Bilton in Ainsty with Bickerton Parish Council

Standing Orders

- 56 If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose that relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment and if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate Committee any such disclosure. Where a relationship to a member is disclosed, Standing Orders 54 and 55 shall apply as appropriate.
- 57 The Clerk shall make known the purpose of Standing Order 57 to every candidate.
- 58 Canvassing of and Recommendations By Members
- 1) Canvassing of members of the Council or of any Working Group, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment.
 - 2) A member of the Council or of any Working Group shall not solicit for any person, any appointment under the Council or recommend any person for such appointment or for promotion; but nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 59 Standing Order Nos. 57 & 59 shall apply to tenders as if the person making the tender were a candidate for an appointment.
- 60 Inspection of Documents
A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or Working Group and if copies are available shall, on request, be supplied for the like purpose with a copy.
- 61 All minutes kept by the Council and by any Working Group shall be open for the inspection of any member of the Council.**
- 62 Unauthorised Activities
No member of the Council or of any Working Group shall in the name of or on behalf of the Council:-
- a) Inspect any lands or premises which the Council has a right or duty to inspect;
Or
 - b) Issue orders, instructions or directions.
Unless authorised to do so by the Council or the relevant Working Group.
- 63 Admission of The Public and Press to Meetings
The Public and Press shall be admitted to all meetings of the Council and Working Group, which may, however, temporarily exclude the Public by means of the following resolutions:-
"That in view of the confidential nature of the business about to be transacted, it is advisable in the Public interest that the Press and Public be temporarily excluded and they are instructed to withdraw."
- 64 The Council shall state the special reason for exclusion.
- 65 At all meetings of the Council the Chairman may at his discretion allow any members of the Public to address the Meeting in relation to the business to be transacted at the Meeting.

Bilton in Ainsty with Bickerton Parish Council

Standing Orders

- 66 The Clerk shall afford to the Press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. No audio or video recording or photographs of the meeting will be allowed without the express approval of the Council.
- 67 If a member of the Public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the Meeting and may adjourn the Meeting for such period as is necessary to restore order.
- 68 Confidential Business
- 1) No member of the Council or of any Working Group shall disclose to any person not a member of the Council any business declared to be confidential by the Council, or Working Group as the case may be.
 - 2) Any member in breach of the provision of paragraph (1) of this Standing Order shall be removed from any Working Group of the Council by the Council.
- 69 Liaison with County and District Councillors
A Summons and Agenda for each Meeting shall be sent, together with an invitation to attend, to the County and District Councillor.
- 70 Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor and the District Councillor.
- 71 Planning Applications
- 1) The Clerk shall, as soon as it is received record the following particulars of every Planning Application notified to the Council:-
 - a) The date on which it was received.
 - b) The name of the applicant.
 - c) The place to which it relates.
 - 2) The Clerk shall refer every Planning Application received to the Chairman or Vice Chairman within forty eight hours of receipt.
 - 3) Within the timescale allowed for the Parish Council to consider a planning application, all Councillors available will have an opportunity to study the application documents and record their comments. When document circulation is completed, the Clerk will prepare a response based on Councillor's comments and return the application to the District Council.
- 72 Code of Conduct on Complaints
The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board for consideration.
- 73 Variation, Revocation and Suspension of Standing Orders
Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.
- 74 A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded stand adjourned without discussion to the next ordinary Meeting of the Council.

Bilton in Ainsty with Bickerton Parish Council
Standing Orders

75 Standing Orders to be given to members

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.