

# **CHARNEY BASSETT PARISH COUNCIL**

## **STANDING ORDERS**

### **1. Meetings**

The Council will decide the dates, times and venue of meetings in each year.

### **2. The Statutory Annual Meeting**

**In an election year, the Annual Parish Council Meeting must be held no later than fourteen days after the day on which the elected councillors take office. In other years, the Annual Parish Council Meeting must be held in May on a date chosen by the Council.**

### **3. Other Statutory Meetings**

In addition to the Annual Parish Council Meeting, at least three other statutory meetings must be held in each year.

### **4. Chairman of the Meeting**

**The person presiding at a meeting, who may not necessarily be the Council Chairman, may exercise all powers and duties of Chairman in conducting the meeting.**

### **5. Proper Officer**

Legislation may confer functions or duties on the Proper Officer of the Council. In the case of Charney Bassett Parish Council, the Proper Officer is The Clerk, who will:-

- a) receive declarations of acceptance of office
- b) receive and record notices disclosing interests at meetings
- c) receive and retain plans and documents
- d) sign notices or other documents on behalf of the Council
- e) sign and issue the summons to councillors to attend Council meetings
- f) keep proper records for all Council meetings.

### **6. Quorum of the Council**

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

6.2 In the absence of a quorum 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 must be adjourned and business not transacted deferred to the next meeting or to some other day fixed by the Chairman.

### **7. Voting**

**7.1** Councillors will normally vote by show of hands but by signed ballot if at least two councillors ask for this.

**7.2 If a councillor so requires, the Clerk shall record the names of those who voted on any question, showing whether they voted for or against it. Such a request must be made before moving on to the next business.**

**7.3 The Chairman may vote in any original vote on any matter and in any case of an equality of votes may give a casting vote whether or not he gave an original vote. However, if the person presiding at the Annual Meeting would have ceased to be a councillor 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. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

## **8. Order of Business**

### **8.1 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
- c) in a Council election year, to fill any vacancies resulting from insufficient nominations
- d) to decide when any declarations 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
- f) to appoint representatives to outside bodies.

**8.2 At every meeting other than the Annual Parish Council Meeting, if the Chairman and Vice-Chairman are absent the first business shall be to appoint a Chairman. It follows from the statement of quorum above that if both the Chairman and Vice-Chairman are absent, the remaining three councillors must be present to allow the meeting to proceed.**

**8.3** In every year, not later than the meeting at which the precept for the following year is settled, the Council shall review the pay and conditions of service of existing employees.

**8.4** 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 consider the Minutes of the previous meeting. If a copy of the minutes has been sent to each councillor no later than the day after the notice to attend a meeting has been received, 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 business, if any, remaining 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 received.

## **9. Urgent Business**

A motion to vary the order of business on the grounds of urgency may be proposed by the Chairman (who does not need a seconder) or by any councillor and shall be put to the vote without discussion.

## **10. Resolutions - with Notice**

**10.1** 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 seven days before the next Council meeting.

**10.2** The Clerk shall date and number every notice of resolution or recommendation he receives and enter them in a database open to the inspection of every councillor of the Council. Every resolution or recommendation shall be relevant to some subject over which the Council has powers or duties. The Clerk shall insert in the summons for every meeting all notices of motions or recommendations received.

## **11. Resolutions - 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 debate
- g) to adopt a report
- h) to amend a motion
- i) to give leave to withdraw a resolution or amendment
- j) to extend the time limit for speeches
- k) to exclude the press and public
- l) to silence or eject from the meeting a councillor named for misconduct
- m) to give the consent of the Council where such consent is required by these Standing Orders
- n) to suspend any Standing Order
- o) to adjourn the meeting

## **12. Questions**

Questions unconnected with business under discussion may only be asked during the part of the meeting set aside for questions. Every question shall be put and answered without discussion. A person to whom a question has been put may decline to answer.

## **13. Rules of Debate**

**13.1** Only the accuracy of the minutes may be discussed and any corrections needed shall be made by a resolution and must be initialled by the Chairman.

**13.2** A resolution or amendment may only be discussed if it has been proposed and seconded. A speech by a mover of a resolution shall not exceed five minutes and any other speech shall not exceed three minutes, unless the Council agrees to extend these limits. A councillor seconding a resolution or amendment may defer his speech until a later period of the debate, if he indicates he is going to do this.

**13.3** A councillor's speech must be directed to the question under discussion or to a personal explanation or to a question of order. Unless he is a mover of a resolution, a councillor must not, unless the Council agrees, speak more than once on any resolution except to move an amendment, to comment on an amendment, to raise a point of order, to give a personal explanation, or to move a closure. The mover of a resolution or amendment shall have a right of reply, not exceeding three minutes.

**13.4** Amendment means deleting words, deleting words and inserting others, or inserting or adding words but no amendment can negate the resolution. If an amendment is carried, the amended resolution takes the place of the original resolution and becomes the resolution upon which any further amendment may be moved. A further amendment may not be moved until the Council has disposed of every amendment previously moved

**13.5** If a councillor wishes to speak on a point of order or to give a personal explanation, he shall be heard immediately. A personal explanation must be confined to clearing up a misunderstanding from an earlier speech.

**13.6** A proposer of a motion or amendment may seek the permission of the Council to withdraw the motion or amendment and once this permission has been sought, councillors are not allowed to speak further on it unless permission is refused.

**13.7** When a resolution is being debated, no other resolution may be moved unless it is one of the following:-

- a) to amend the resolution
- b) to proceed to the next business
- c) to adjourn the debate

- d) that the question been now put
- e) to exclude the public and press
- f) to adjourn the meeting.

**13.8** A councillor will normally remain seated when speaking and will address the Chairman.. The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed. If two or more councillors wish to speak, the Chairman shall decide who to call upon. Whenever the Chairman speaks during a debate all other councillors must remain silent.

#### **14. Accounts**

**14.1** The Council must be made aware of all accounts for payment. However, where it is necessary to make a payment before it has been authorised by the Council, such payment may be authorised by the Responsible Financial Officer (The Clerk) with the approval of the Chairman and one other cheque signatory. Any such payments shall be included in the next financial report to the Council

**14.2** The RFO shall present a financial report to each meeting of the Council in which all financial transactions will appear, together with an explanation of any noteworthy matters arising in the report.

**14.3** The RFO shall, as soon as practicable after 31 March, provide each councillor with a statement of the Council receipts and payments for the completed financial year. Before the end of the following September, he will present the Annual Return submitted for external auditing to the Council.

**14.4** In order to enable the Council to set the precept, the RFO shall present a budget paper containing estimates of income and expenditure for the coming financial year before the end of the month of January.

#### **15. Interests**

**15.1** If a councillor has a personal interest, as defined by the Code of Conduct adopted by the Council on the 13<sup>th</sup> March 2002, then he should declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

**15.2** If a councillor who has declared a personal interest then considers the interest to be prejudicial he must withdraw from the room during consideration of the item to which the interest relates.

**15.3** The Clerk must compile and hold the register of councillor's interests in accordance with agreement reached with the Monitoring Officer of the Vale of White Horse District Council.

#### **16. Inspection of Documents**

**16.1** A councillor may inspect any document in possession of the Council and, on request, be supplied with a copy, provided it is for the purposes of his duty.

**16.2** All minutes kept by the Council shall be open for the inspection of any councillor of the Council.

#### **17. Admission of the Public and Media to Meetings**

**17.1** The public and media shall be admitted to all meetings of the Council. However, they may be temporarily excluded by means of the following resolution:- "That in view of the special/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". The Council shall state the special reason for exclusion.

**17.2** At all meetings of the Council, the Chairman may, at his discretion and at a convenient time in the transaction of business, allow any member of the public to address the meeting in relation to the business of the meeting.

**17.3** The Clerk shall provide reasonable facilities to the media for reporting any proceedings at which they are entitled to be present. Audio or video recording or photographs of the meeting shall not be permitted unless the Council approves.

**17.4** If a member of the public should interrupt the proceedings at any meeting, the Chairman may, after warning, order that the person concerned be removed from the meeting and may adjourn the meeting for such time as is necessary to restore order.

## **18. Liaison with County and District Councillors**

An invitation to attend each Council meeting shall be sent, together with an agenda, to the County Councillor for the Marcham Division and to the District Councillor for the Longworth Ward.

## **19. Planning Applications.**

**19.1** As soon as each application is received, The Clerk shall enter in the database kept for the purpose the date on which it was received, the name of the applicant and the place to which it relates.

**19.2** The Clerk shall refer every planning application received to the Chairman as soon as possible after receipt. The Chairman will decide what action to take, namely to convene a special meeting to discuss it or to consult other councillors individually. The Clerk will be responsible for returning the Council's comments on an application to the Vale of White Horse District Council planners within the deadline for such comments.

## **20. Financial Matters**

The Council has approved Financial Regulations drawn up by the RFO. These Financial Regulations shall be subject to regular review, at least once every four years. All financial transactions, including in particular accounting, auditing and procurement procedures, shall comply with these Regulations.

## **21. Complaints**

Any complaints of maladministration allegedly committed by the Council or by any officer or councillor shall be dealt with in accordance with the Council's complaints procedure. Complaints that any councillor has not complied with the Code of Conduct shall be directed to the Standards Board of England.

## **22. 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.

## **23. Committees**

The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary.

*These Standing Orders, which apply to all meetings of the Council, are derived from "Standing Orders and Chairmanship", published by NALC in July 2003. They have been adapted to tailor them to the requirements of Charney Bassett Parish Council. In the event of a query arising on the interpretation of Standing Orders this document may be used by the Chairman to resolve the query.*