

Chilcompton Parish Council Standing Orders

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. A member of the public shall be permitted in Public Participation, addressing the Chair, to make representations, answer questions and give evidence in respect of any item of business, the length of time to be at the Chairman's discretion & a summary recorded.
- e. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.
- f. In accordance with standing order 1(d) 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.
- 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.
- 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 the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- i. Subject to standing order 1(p) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- j. 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 (i) and (j) below.)
- 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 the vote is taken and before moving on to the next item of business on the agenda.
- l. The minutes of a meeting shall record the names of councillors present and absent.
- m. The code of conduct adopted by the Council shall apply to 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. (See also standing order 6 below.)
- 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 3.
- p. If a meeting is or becomes inquorate, no business shall be transacted.

2. Ordinary Council meetings

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- a. Meetings of the Council shall be held on the second Wednesday of each month at 7.30 p.m. unless the Council otherwise decides at a previous meeting. Additionally, the Planning Sub-Committee, consisting of half of the full Council, shall meet on the fourth Wednesday, if required. Observations made by the Planning Sub-Committee on any planning application will be upheld.
- b. 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.
- c. 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.
- d. If no other time is fixed, the annual meeting of the Council shall take place at 7.30pm.
- e. 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.
- f. The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.
- g. 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.
- h. 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.
- i. 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.
- j. 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.
- k. Following the election of the Chairman and Vice-Chairman, 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 annual meeting of the Council.
 - iii. Review of sub-committees and representatives.
 - iv. Arrangements for the review and adoption of financial regulations, insurances and land and assets.
- l. In the event of severe weather conditions or any other emergency the Clerk may, in consultation with the Chairman of Council, cancel any meeting of Council, a committee or a sub-committee and shall give immediate notice of such cancellation to as many members of council as is practicable.
- m. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the District and County representing its electoral ward

3. Proper Officer

- a. The Council's Proper Officer shall be the clerk.

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- b. The Council's Proper Officer shall do the following.
 - i. Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.
 - 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 or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council is received at least one week before the meeting and is convened by councillors and signed by them).
 - iii. Subject to standing orders below, include in the agenda all motions in the order received unless a councillor has given written notice at least one week 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) above.
 - v. Make available for inspection the minutes of meetings.
 - vi. Receive and retain copies of byelaws made by other local authorities.
 - 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. 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, storage of and access to information held by the Council in paper & electronic form in accordance with the Freedom of Information Act 2000.
 - xii. 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.
 - xiii. Record every planning application notified to the Council and the Council's response to the local planning authority in the Minutes
 - xiv. Confer with the Chairman on whether an extra-ordinary meeting is necessary to consider a planning application.
 - xv. Declare any casual vacancy arising in the office of councillor following resignation, ceasing to be qualified, disqualification or loss of office due to failure to attend; and then to carry out the necessary steps to proceed towards the filling of the vacancy as appropriate.

4. Motions not requiring written notice

- a. Motions may be moved to suspend any standing order without written notice, except those which are mandatory by law.

5. Rules of debate

- a. Motions can be put forward on the Agenda at least one week before the meeting or raised from the floor without written notice.

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- b. 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.
- c. A Councillor may move amendments to a motion. 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.
- d. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- e. Amendments shall be moved in the order directed by the Chairman.
- f. 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.
- g. The Chairman shall be satisfied that a motion has been sufficiently debated before it is seconded and put to the vote.

6. 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 6(c) 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, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.
- d. Canvassing councillors or the members of a committee or sub-committee, 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.
- e. A councillor or a member of a committee or sub-committee 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.
- f. This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

7. Disorderly conduct

- a. No person shall interrupt or obstruct the business of any meeting. The Chairman may, after warning, order that they be removed or adjourn the meeting.

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.

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- b. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy or to add relevant information.
- 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 record of his views.

9. 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 2 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b. When a special motion or any other motion moved pursuant to standing order 9(a) above has been disposed of, no similar motion may be moved within a further 6 months.

10. Voting on appointments, Co-options or Representatives

- a. Where more than 2 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. Voting to be by secret ballot.

11. Execution and sealing of legal deeds

- a. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b. In accordance with a resolution made under standing order 11(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

12. Committees

- a. The Council may, at its annual meeting, appoint a staffing committee and other standing committees and may at any other time appoint such other committees as may be necessary, and can dissolve a committee at any time. The Council shall determine their terms of reference.
- b. The Chairman and Vice Chairman of Council may elect to be a voting member of any committee or sub-committee other than the Staffing Committee.
- c. The Council may appoint advisory committees comprised of a number of councillors and non-councillors.

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

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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. The Council's financial regulations shall be reviewed once a year.
- b. All payments by the Council shall be authorised, approved, signed by 2 members and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- 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 a committee, sub-committee or to an employee.
- d. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March and 30 September in each year a statement summarising the Council's receipts and payments for the half year and the balances held. This statement should include a comparison with the budget for the financial year.
- e. A Financial Statement prepared on the income and expenditure basis for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Accounting Statements of the Council (which are subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.
- f. 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 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.

15. Financial matters

- a. Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £2,000 shall be procured on the basis of three formal tenders as summarised in standing order 15(b) below.
- b. Any formal tender process shall comprise the following steps:
 - i. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - ii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iii. 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;
 - iv. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- c. Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- d. Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider

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whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

16. Estimates/precepts

- a. The Council shall approve written estimates for the coming financial year before the end of March.
- b. Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

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 or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees 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, a committee or a sub-committee:
 - 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 shall not disclose information given in confidence or which they believe, or ought to be aware is of a Council confidential nature 'in camera'. A councillor in breach of the provisions of this standing order may be removed from a committee or a sub-committee by a resolution of the Council.

20. Power of well-being

- a. Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
- b. The Council's period of eligibility begins on the date that the resolution under standing order 20 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
- c. After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 20(b) above.

21. 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. It shall also consider whether other councillors shall be excluded to ensure proper process in any Appeal.

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- b. The Chairman shall upon a resolution conduct a review of the performance and/or appraisal of the Clerk and shall keep a written record of it.
- c. Regarding the handling of grievance matters, the Clerk shall contact the Chairman in respect of an informal or formal grievance matter.
- d. Regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by Clerk 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.

22. 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 of the Council. The said Council 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)(xi) above.

23. 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 processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b. In accordance with the Council's policy 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, unless asked by the Council to do so, but to refer enquiries to the Clerk.

24. 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 by a Councillor, including a breach in a communication of any kind, the Proper Officer shall notify the Chairman of the Council.
- b. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council of that fact, 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 of the Council) shall take all steps considered necessary, to maintain confidentiality.

25. 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 permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the

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councillors at a meeting of the Council vote in favour of the same.

26. 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.

ADOPTED BY CHILCOMPTON PARISH COUNCIL - 8th December 2010

Appendix: Applications for donations or grants will be considered at the March and September meetings.