



EAST GOSCOTE PARISH COUNCIL

STANDING ORDERS

MARCH 2015

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Personnel

Chairman and Vice-Chairman

1. The Chairman and Vice-Chairman of the Parish Council must be elected each year at the Annual General Meeting. (Note that 'Chairman' and 'Vice-Chairman' are treated in this document as non-gender terms and could apply to a man or woman.)
 - 1a. The Maximum term of office for the Chairman is to be restricted to two years in one term of office.
2. In the absence of the Chairman at a Council Meeting, the Vice-Chairman must take the chair. If both are absent, a Chairman should be elected from and by the Councillors present. The minutes should record the selection of Chair.
3. The Chairman's role is to guide the meeting utilising the Standing Orders, as necessary, with advice from the Clerk.
4. The Chairman cannot override the wishes of other Councillors except on a point of procedure following advice from the Clerk.
 - a. The person presiding at a meeting, may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

Proper Officer/Clerk

5. The Clerk is the Council's Proper Officer.
6. The Clerk's role is to advise, administrate and implement decisions following the guidelines of their job description. The 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 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.**
 - iv. **Receive and retain copies of byelaws made by other local authorities.**
 - v. Receive and retain declarations of acceptance of office from Councillors, and their Register of Interest, which are available for inspection.

- vi. The Clerk shall make available for inspection the minutes of meetings.
- vii. The Clerk shall receive and send general correspondence and notices on behalf of the Council. Councillors must not send any correspondence themselves, except where there is a resolution to the contrary. All correspondence must be forwarded to the office for a response. Only correspondence requiring a decision shall be brought to the attention of the Council.
- viii. The Clerk shall action or undertake any activity or responsibility instructed by resolution or contained within the standing orders.
- ix. The Clerk shall assist with responding to requests made under the Freedom of Information Act 2000 and data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same.
- x. The Clerk shall manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form.
- xi. The Clerk shall arrange for legal deeds to be executed.
- xii. The Clerk shall arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations.
- xiii. The Clerk shall record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose.
- xiv. The Clerk shall refer a planning application received by the council to the Chairman or in his absence the Vice-Chairman of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
- xv. The Clerk shall manage access to information about the council via the publication scheme.
- xvi. The Council may delegate decisions to the Clerk either by Resolution at a meeting or outside of a meeting (after consultation with the Chairman and, in emergencies, two other Councillors). These decisions should involve routine decisions, signing cheques (if a signatory), and dealing with emergencies such as health/safety risks to the village.

Responsible Financial Officer (RFO)

7. The Clerk is the Council's Responsible Financial Officer.
8. The Clerk's financial role is all matters to do with the accounts. All references to our Financial Regulations.

- a. The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

Financial controls and procurement

9. 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 keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the council;
 - iii. the work of the independent internal auditor in accordance with proper practices 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; and
 - v. procurement policies (subject to standing order 9(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £10,000.

- a. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

- b. **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of [£10,000] shall be procured on the basis of a formal tender as summarised in standing order 9(d) below.**

- c. Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated

responsibility.

- d. Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e. **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 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.**

Parish Councillors

10. Parish Councillors are elected for four years unless they resign, die or are disqualified within that period.
11. Parish Councillors are obliged to:
 - attend meetings when summoned by notice
 - prepare for meetings by studying the Agenda
 - take an active part in the Council's work and meetings
 - ensure the Council is well managed
 - represent East Goscote electors' views
 - attend at least 6 meetings per year
 - new Parish Councillors will be assigned a mentor
 - all Councillors will receive a new model Code of Conduct for them to sign and adhere to
 - all Councillors will receive a copy of the Standing orders
 - all Councillors keep in regular contact with the Clerk via email or telephone and reply to consultations. Appointments to see the clerk must be made in advance except for the Chairman and Vice Chairman.

Employees

12. All employees should have a contract of employment incorporating terms and conditions.
13. A review of pay and conditions should take place every year.
14. All employees should have full protection of current employment law as applicable.
15. If, at a meeting, any question arises relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of anyone employed by the Council, it should not be debated until the Council or Committee (as appropriate) has decided whether or not the public should be excluded.

16. Appraisals should be carried out annually on all employees at the Council Offices by the Chairman and Proper Officer. The Chairman and Vice Chairman will carry out the Proper Officer's appraisal at the Parish Council Office.

Auditors

17. The Council should appoint an Internal Auditor to audit the accounts each year. The Audit Commission appoints the External Auditor. See Financial Regulations.

The Public and Press

18. The public and the press may attend all meetings of the Council. However, they may be temporarily excluded where sensitive, legal, contractual or personnel matters are being discussed.
 - a. A Resolution to exclude should state:
'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'.
19. The amended 1960 Act provides that a person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may:
 - a. **film, photograph or make an audio recording of a meeting;**
 - b. use any other means for enabling persons not present to see or hear Proceedings at a meeting as it takes place or later;
 - c. report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting;
 - d. **the press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

Meetings

Ordinary Meetings of the Parish Council

20. Ordinary Meetings (also known as Monthly Meetings) are normally held on the Second Wednesday of each month in accordance with the Annual Calendar of Meetings determined by the Parish Council in January. Any variation has to be Agreed by Resolution of the Council.
21. **The minimum three clear days for notice of a meeting does not include 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.**
22. Ordinary Meetings usually begin at 6.30pm unless the Chairman and Clerk agree on a different time.

23. The Council should aim to conclude business in two and half hours as attention generally begins to wane after this time.
- a. **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.**
 - b. **In accordance with Standing Order 18 above, the press shall be provided reasonable facilities for the taking of their report of all or part of the meeting at which they are entitled to be present.**
 - c. The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.
 - d. **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.**
 - e. Subject to Standing Order 18a 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 during the public participation session.
 - f. The period of time designated for public participation will normally not exceed 5 minutes, although is at the Chairman's discretion.
 - g. Subject to standing order 23f above, each member of the public is entitled to speak only once in respect of business itemised on the agenda and shall not speak for more than 2 minutes.
 - h. In accordance with Standing Order 23g, a question asked by a member of the public during the public participation session shall not require a response or debate. However, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor an oral response or to an employee for a written or oral response.
 - i. Any person speaking at a meeting shall address his/her comments to the Chairman.
 - j. 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.
 - k. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).**
 - l. **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.**

- m. **Subject to a meeting being quorate, all questions at a meeting shall be decided by majority of the councillors or councillors with voting rights present and voting.**
 - n. **The chairman of a meeting 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.**
 - o. **Unless standing orders provide otherwise, voting on a 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.**
24. The minutes of a meeting shall include an accurate record of the following:
- i. the time and place of the meeting;
 - ii. the names of councillors present and absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and the resolutions made.
 - vi. **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
 - vii. **No business may be transacted at a meeting unless at least one-third of the whole number of members of the council (4) are present and in no case shall the quorum of a meeting be less than three.**
 - viii. **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
 - ix. A meeting shall not exceed a period of 3 hours.

Rules of debate at meetings

- 25
- a. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
 - b. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
 - c. A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
 - d. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the

meeting.

- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- j Subject to standing order 25(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.
- 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 other irregularity in the proceedings of the meeting he is concerned by.

- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a 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 no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- s. Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t. Excluding motions moved under standing order 25(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 2 minutes without the consent of the chairman of the meeting.

Annual General Meeting (AGM)

- 26. **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. 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.**
- 27. **The Parish Council's Annual General Meeting must be held in May each year. The current Chairman should chair it, or Vice-Chairman if the Chairman is absent, until a new Chairman is elected.** If both are absent, a Chairman should be nominated and elected from and by the Councillors present.
- 28. The new Chairman should be nominated and then voted on; the same for the Vice-Chairman. Chairman and Vice-Chairman may vote for themselves. (For other AGM Matters, see 'AGM Agenda'.)

(For other AGM In local election years, the Annual General Meeting must be held 5-14 days after Election Day.)

- 29. **The previously elected Chairman and Vice-Chairman should remain in office even though they may have not been re-elected in order to chair the meeting until a new Chairman has been elected. The Vice-Chairman should chair the meeting if the Chairman is absent. If both are absent, a Chairman should be nominated and elected from and by the Councillors present.**

30. **The first item should be the election of a new Chairman, which an unelected Chairman may vote on, but only if the votes are tied, i.e. a casting vote. An unelected Vice-Chairman has no vote at all, unless filling in for an absent Chairman.**
31. Once a new Chairman is elected, an unelected Chairman or Vice-Chairman should then leave office. The new Chairman takes over.
32. At its last meeting prior to the four-yearly election of Parish Councillors, the Council should ensure that all of its business is up-to-date and in a form that will facilitate transfer to the newly elected Council.
34. Councillors should complete a Register of Members' Interests as required by law **within 28 days of election.**
35. **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.**

Annual Parish Meeting (APM)

36. Annual Parish Meeting is **not the same as the AGM**. This is a **village meeting** which has to be called by law between March 1 and June 1 (inclusive) once a Year.
37. The Clerk should ensure that the Village Hall is booked for the meeting well in advance.
38. Electors may ask questions to the Chairman of the Parish Council under matters arising from the public.
39. The event should be publicised well in advance to enable all electors and groups to Formulate Motions and prepare presentations.
40. The Chairman of the Parish Council presides over the meeting unless absent when the Vice-Chairman presides. If both absent, a Chairman should be nominated and Elected by electors present.
41. Councillors have no special role at the meeting.
42. All electors may vote at an Annual Parish Meeting on Motions itemised on the Agenda, with the Chairman having a casting vote.
43. **No Resolution of an APM is binding on the Parish Council, but it may be persuasive**, and should be discussed at the nearest available Ordinary Meeting.
44. The Clerk should take Minutes at an APM.
45. The Annual Parish Meeting should last no longer than 3 hours.

Extraordinary Meeting

46. **The Chairman may call an Extraordinary Meeting at any time such as when a Chairman resigns or for other urgent business.**
47. Councillors may also call an Extraordinary Meeting, if the Chairman refuses to call it within 7 days of being asked to do so by at least 3 Councillors.
48. An Extraordinary Meeting must be summonsed in writing setting out the business to be considered.
49. The Chairman of a committee may convene an extraordinary meeting of the Committee at any time.
 - a. **If the Chairman of a committee does not or refuses to call an extraordinary meeting within (7) days of having been requested to do so by (2) members of the committee [or the sub-committee], any (2) members of the committee may convene an extraordinary meeting of a committee.**

Quorum

50. A quorum at a Parish Council meeting is one-third of the total number of **Councillors (3.3)** which requires four members for a meeting to be quorate.
51. Business cannot be carried out if there is no quorum. It must be deferred until the next Ordinary Meeting of the Council. Alternatively, an Extraordinary Meeting may be called. The same applies if a meeting becomes inquorate because Councillors have to leave.
52. Three is a quorum for a Committee Meeting.

Minutes

53. The Clerk should record all meetings and produce Minutes (also known as Recordings of Proceedings) for confirmation at the next meeting. These should go out to the Chairman **before the meeting** for corrections.
54. Once approved at the meeting, Minutes should be signed by the Chairman.
55. In the absence of the Clerk, the Chairman may arrange for a Councillor to take the minutes.
56. The Minutes should reflect the Agenda, numbering each item under its heading. A progressive numbering system may be used if necessary, following on from the previous set of minutes, but this should still reflect Agenda items as listed on the Agenda.

57. When a Motion is approved, the terminology 'RESOLVED' should appear in the Minutes followed by what was Resolved.
58. Minutes should reflect substantive items and decisions, not every word that is said.
59. Minutes should be distributed to the public only after approval and the day after the meeting – a copy to the Library and an electronic copy on our Parish Council website. The Police Representative and our Borough and County Councillors should also receive copies with their next agenda. A personal copy to any member of the public is also available on request.

Smoking

60. Smoking is not permitted at Parish Council meetings or in any Council Property.

Agenda

61. The Agenda should reflect the key Motions to be resolved, especially spending ones, and should be the same as the Agenda posted on the noticeboards. Agenda notes may be provided by the Clerk to Councillors where more detail is needed to help them through the meeting; for example, a budget statement.
62. Agendas should be provided to members of the public and press to help them follow the meeting.
63. The Agenda cannot be altered once people have been notified of its contents – either added to or taken from.
64. The Council **cannot make substantive decisions or discuss Motions which are not on the Agenda** apart from procedural ones such as excluding the public, moving on to the next item, altering the Order of Business, or adjourning the meeting. These should be voted on. Minor items arising in 'Public Forum' may also be decided by the Council at the Chairman's discretion.
65. Other business not on the Agenda must wait until the next meeting or, if urgent, an Extraordinary Meeting may be called, or delegation of a decision to the Clerk is possible in an extreme emergency.
66. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward Councillor(s) of the Borough Council and County Council.

Ordinary Agenda

67. At every Ordinary Meeting, the Agenda (also known as Order of Business) should be:
 1. Apologies for absence & declarations of interest
 2. To confirm the Minutes of previous meeting

3. Matters arising from minutes
 4. Police, County Councillor & Borough Councillor reports
 5. Matters arising from the Public
 6. Reports from reps on other committees
 7. Proposed Accounts
 8. Correspondence
 9. Planning Matters
 10. New Business to be discussed
 11. Maintenance
 12. Items approved for Expenditure
 13. Urgent items by permission of the Chairman
68. A Motion to vary the Ordinary Agenda on the grounds of urgency or other exceptional circumstance may be proposed by the Chairman or any other Councillor and put to the vote without discussion.
69. The format of the Agenda may be permanently changed either in substance or its order by Resolution of the Council.

Meaning of items on the Ordinary Agenda

70. 'Declarations of Interest' should follow Code of Conduct guidelines and should be recorded in a separate book along with a verbal declaration made at the meeting. Particulars of any notice given by any member or any officer of the Council of a personal or prejudicial interest.
71. 'Minutes of the previous meeting' should deal with matters of accuracy only. Any amendments must be included in the Motion to confirm the Minutes. Councillors then vote to confirm and, once agreed, the Chairman signs the Minutes which should then be kept in a folder.
72. 'Matters arising from the minutes' should deal with items of ongoing progress and review generally involving exchanges of information with possibly some minor decision making.
73. 'Police, County Councillor & Borough Councillor reports' are informational informing us of matters within the respective remits, eg local authority policies which affect East Goscote.
74. Matters arising from the Public' is a place where the general public may make comments. No decisions of a substantive nature should be made here, though items may be chased up by Councillors or deferred to the next Agenda.
75. Any substantive matters from the previous meeting requiring decisions should appear under their own heading.
76. 'Correspondence Box' is informational only apart from decisions needed on accepting invitations.
77. If something very important has suddenly arisen which is not on the agenda, but is so urgent that it needs an immediate decision, the Chairman may pass a resolution to go to "urgent items by permission of the Chairman" where the issue

may be discussed. Any decision should be delegated to the clerk who has the powers to deal with emergency situations.

- a. In the event of an occurrence which requires action before the next scheduled meeting, the Chairman, Vice Chairman and Clerk shall confirm its' urgency and agree a plan of action.
- b. In the absence of any of the above mentioned officers, other Councillors should be consulted to ensure a minimum of three people have been involved. All actions shall be carried out by the Clerk (or the Chairman in the Clerks absence) and shall be confirmed at the next Parish Council Meeting.
- c. A special meeting shall be called if the proposed action has high financial implications for the council.

AGM Agenda

78. At the Annual General Meeting, the Agenda should include:

1. Apologies for Absence
2. Election of Chairman
3. Election of Vice-Chairman
4. Receiving the Declarations of Acceptance of Office from the Chairman and Vice-Chairman or, if not received, determining when they will be received
5. In election year only, receiving the Declarations of Acceptance of Office from Councillors or, if not received, determining when they will be received
6. Internal appointments – internal auditor, RFO.
7. Appointment of Representatives to External Bodies such as the Village Hall Committee. Review of Committee/Working Party membership.
8. Consideration of subscriptions and donations. Review of terms of reference.
9. Inspection of all deed and trust instruments which are held by the Council. Review of Standing Orders & Financial Regs/Review of Councils Complaints Procedure.
10. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data protection Act 1998;
11. Review of the council's policy for dealing with the press/media.

79. The Minutes for an AGM should normally be approved at the June Meeting, not one year later.

80. The Clerk should book the Village Hall for the meetings at an appropriate time – either following the AGM or at the beginning of each calendar year if the Village Hall Committee so wishes.

Annual Parish Meeting Agenda

81. At the Annual Parish Meeting, the Agenda should be:

1. Apologies for absence
2. Approval of previous year's minutes and matters arising
3. Chairman's report on Parish Council performance in past year
4. Finance Report

5. Reports from the Borough and County Councillors
6. Reports from the Police
7. Reports from other official representatives or village groups (these should be itemised)
8. Public forum on Parish Council performance and future directions for the village

Extraordinary Meeting Agenda

82. At an Extraordinary Meeting, the Agenda should be:

1. Apologies for absence & declarations of interest
2. Extraordinary business detailed - which needs to be considered

Notification of Agenda

83. The Clerk should provide Councillors with copies of the Agenda **at least 3 clear days before any meeting** of the Council. This does not include:

- the day it was posted
- the day of the meeting
- Saturdays, Sundays and Bank Holidays.

84. To facilitate the drafting and issue of the Agenda, Councillors should notify the Clerk **at least 10 clear days** before each meeting of any items they want on it. However, items for Agendas are at the discretion of the Clerk and Chairman.

85. If an urgent matter arises **less than 10 days** before a meeting, it must be notified to the Clerk who should consult the Chairman. The Clerk/Chairman have the discretion to accept or reject such an additional Item onto the Agenda. In any case, the item must be raised before the Agenda is notified to the public.

86. The public should be notified of any meeting by posting copies of the Agenda on all our noticeboards **at least 3 clear days** before each Meeting of the Council. This should be signed by the Clerk.

87. The Clerk should also notify Police Representative, Borough and County Councillor of the next meeting by sending them the Agenda **at least 3 clear days** before the meeting. Any other notifications are at the discretion of the Clerk and Chairman.

88. Notification to the public for an Annual Parish Meeting is **7 clear days**. This should be signed by whoever calls the meeting, and usually is advertised in the village magazine 'The Long Furrow'.

Carrying out business

89. Councillors must restrict their contributions to debate to the issue under discussion, or to a Point of Order.

90. Councillors should address their comments to the Chairman keeping them as short and to the point as possible.
91. No speech should normally exceed 3 minutes except by the consent of the Chairman.

Motions, Resolutions & Amendments

92. Decisions are made via Proposals based on Agenda items which, when agreed, become Resolutions.
93. Where a Proposal has been put, an Amendment may be moved. The Amendment should not have the effect of nullifying the Proposal before the Council but should propose either the omission of words, or the omission of words and insertion/addition of others, or the insertion or addition of words.
94. An Amendment must be disposed of before any further Amendment may be proposed.
95. If an Amendment is carried, the Amended Resolution should become the Proposal to be voted on or further amended.
96. A Proposal or Amendment may be withdrawn. There should be no further debate on the Motion or Amendment unless the request for its withdrawal is refused.
97. When a Proposal is being debated, no further Proposal can be put except the following:
 - to amend the Proposal
 - to move on to the next item of business
 - to adjourn the debate
 - to ask that the Proposal be now put to the vote
 - to refer the Proposal to a committee
 - to exclude the public and the press
 - to ask that a specified Councillor be not heard again on the Motion
 - to ask that a specified Councillor be required to leave the Meeting.
98. Any further Resolution so put should be voted on immediately without further debate.
99. A Councillor may clarify a point from one of their previous speeches that may have been misunderstood.
100. No further discussion is allowed on Resolutions passed at the same meeting ('harking back').
101. Rescission of a previous resolution: A decision whether affirmative or negative of the Council, shall not be reversed within six months except by either a special resolution, the written notice whereof bears the names of at least (6) members of the council, or by a resolution moved in pursuance of the report or recommendation of a committee to be given to the Proper Officer. When a special resolution moved under the provision of this order has been disposed of, no

similar resolution may be moved within a further six months. Review it when new information is presented.

Motions for a meeting that require written notice to be given to the Proper Officer

- 102 a. A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least (7) clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 102(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d. If the Proper Officer considers the wording of a motion received in accordance with standing order 102(b) 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 so that it can be understood at least (7) clear days before the meeting.
- e. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f. Subject to standing order 102(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g. Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h. Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

Motions at a meeting that do not require written notice

103. The following motions may be moved at a meeting without written notice to the Proper Officer;
- i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;

- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- xvi. to adjourn the meeting; or
- xvii. to close a meeting.

Voting

104. Councillors should vote either by word of mouth (yes/no) or, if necessary, by a show of hands. They may also abstain.
105. Any Councillor, before a vote is taken, may ask the Clerk to record who voted for and who against.
106. Where there is a tie in the votes on a Motion, **the Chairman has a casting vote in addition to their original vote.**
107. The Chairman's declaration (after confirmation by the Clerk) as to the result of a vote is final.

Delegation

108. The Parish Council may not delegate decisions to others except Committees and the Clerk.

Committees

109. The Council may at its AGM establish Committees to carry out aspects of its work on its behalf.
110. Councillors of Committees are elected each year at the Annual General Meeting of the Parish Council. The Chairman and Vice-Chairman of the Parish Council should each be elected to one Committee only.
111. In the following circumstances, other Councillors may attend Committee Meetings:
 - where any Committee Councillor is unable to attend a Committee Meeting, they may send a colleague as a substitute

- where a Councillor who has raised an issue that has been referred to a Committee of which they are not a Councillor may explain the issue to the Committee but may not vote
- **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council**
- The council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 111 above, appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 111 above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer (7) days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a committee;
 - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xii. may dissolve a committee.

112. It is advisable because of the organisational aspects involved in Committee Meetings to use Working Parties (see 'Working Parties'). **However, Working Parties cannot be delegated to make decisions only recommendations.**

Working Parties

113. The Council may set up Working Parties to follow through decisions and make recommendations. This may include members of the public.

114. Working Parties cannot make decisions on behalf of the Parish Council.
115. Meetings of Working Parties do not have to be notified or open to the public.
116. At least two Councillors should be on Working Parties to ensure conformity with Parish Council policy.

Other Bodies

117. The role of a Councillor appointed, as the Parish Council's Representative on an External Body such as the Village Hall Committee is to attend their meetings and report back to the Parish Council on issues raised and discussions held.
118. Where a Proposal or Resolution of that Body may commit the Parish Council to action or to financial expenditure, the Representative should raise the matter for the Agenda at the Parish Council's next Ordinary Meeting for debate and decision. They should then inform the External Body of the decision.

Conduct

Conduct of Councillors

119. Councillors and Officers of the Council must at all times ensure that they conduct themselves and carry out their duties in a way that protects the interests and reputation of the Council.
 - a. Where they have concerns about the conduct of the Council's business or actions taken on its behalf, Councillors should raise these initially with the Chairman or the Clerk as the Council's Proper Officer.
 - b. If it is then felt that the concerns have not been properly or adequately dealt with, the Councillor should bring the matter up before the whole Council for Resolution.
 - c. Councillors should follow the terms of the **New Code of Conduct**.
 - d. Councillors should always conduct themselves at meetings in a way that upholds the good reputation of the Parish Council.
 - e. The Clerk and other staff members are to be treated with respect at all times.
 - f. No Councillor should obstruct business, persistently disregard the ruling of the Chairman or behave offensively or improperly.
 - g. No personal remarks should be made. If they are, the Chairman may ask for an apology or retraction before continuing business. If none is forthcoming, the guideline following applies.
 - h. If the Chairman thinks a Councillor is conducting themselves badly, the Chairman or any Councillor may propose that they behave appropriately.

It may be put to the vote immediately and without debate.

- i. If the offending Councillor persists in bad behaviour, the Chairman may:
 - move that the Councillor leaves the meeting – the Proposal should be put to the vote immediately and without discussion, or
 - adjourn the meeting for as long as necessary, or
 - abandon the meeting, fix a new date for the meeting and exclude the Councillor from attending.
- j. The same procedure above may apply to a Chairman behaving badly. Any Councillor present may propose that the Chairman stand down as Chairman for the rest of the meeting. It may be put to the vote immediately and without debate. The Vice-Chairman, if present, should then take over. If not present, then a Chairman should be elected for the rest of the meeting from and by the Councillors present.
- k. Unless authorised by a resolution, no councillor shall:
 - i. Inspect any land and/or premises which the council has a right or duty to inspect; or
 - ii. Issue orders, instructions or directions.

Code of conduct and dispensations

120. a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing (via a Dispensation Request form) and submitted to the Proper Officer** as soon as possible before the meeting.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the council, for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:

- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.

- g Subject to standing orders 120(d) and (f) above, dispensations requests shall be considered at the start of the meeting for which the dispensation is required.

- h **A dispensation may be granted in accordance with standing order 120(e) above if having regard to all relevant circumstances the following applies:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **granting the dispensation is in the interests of persons living in the council's area or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

Confidentiality

Handling confidential or sensitive information

- 121. a The Agenda, and Papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.

- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

Requests for information

- 122 a Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.

- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

Conduct of the Public

- 123. Members of the public **do not have any right in law to speak at meetings** as they are meetings of the Council to carry out its business. Their role is one of **observation**. However, they may express their views in matters arising from the public which, strictly speaking, is not part of the meeting itself. The Council may formally adjourn for matters arising from the public to demonstrate it is not part of the meeting, and will not form part of the minutes..
- 124. Occasionally, the Chairman may ask members of the public to provide information which is helpful to the Council in carrying out its business. Such information is **by permission of the Chairman only**.
- 125. The Chairman is legally in charge and the position must command respect. The correct way of addressing the Council is via the Chairman using the appellation 'Chairman' or 'Mr Chairman'.
- 126. If any member of the public interrupts the proceedings of any meeting with personal, rude, derogatory, aggressive or uncalled for remarks, the Chairman should warn them they are out of order and may ask for a retraction (if applicable).
- 127. If the interruptions continue or no retraction is forthcoming, the Chairman may ask them to leave the meeting.
- 128. If they refuse, the Chairman should adjourn the meeting until they leave and, if necessary, phone the Community Police Officer or any available Police Officer.
- 129. In the event of a general disturbance, the Chairman may adjourn the meeting for as long as they consider necessary, or close it and call another.
- 130. Councillors are advised **not to use force to deal with an aggressive person** except in self defence.
- 131. In the event of persistent bad behaviour at meetings, a letter should be sent to the offender(s) explaining their conduct is not acceptable and advising them that they must follow Standing Orders else they face exclusion every time they repeat their behaviour. The letter should be minuted as well as the bad behaviour.
- 132. Policy re responses to the Press: Responses to the press relating to matters discussed by the Council shall be dealt with in the first instance by the Clerk. The Chairman is also authorised to give the views of the Council to the press on any non-confidential subject discussed by the Council. Whenever possible any information given to the press shall be given in writing so as not to leave interpretation open to misunderstanding and misreporting. At no time shall the personal views of either Members or Officers of the Council be given to the press in a way which could be interpreted as a view of the Council as a whole.

Code of Conduct Complaints

133. a Upon notification by the Borough Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order 121 above, report this to the council.
- b Where the notification in standing order 133(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined [(England) and the council has agreed what action, if any, to take in accordance with standing order 133(d) below.
- c The council may:
- i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the Borough Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

Complaints

134. Public complaints should be dealt with in accordance with our Complaints Procedure.
135. The Complaints Procedure should be reviewed at least every 4 years. (Last reviewed June 2013)

Vacancies

Council vacancies

136. Councillors are elected for a term of 4 years, retiring on the 4th day after the date of the normal elections held every four years. At this point, all Councillors, unless re-elected, stand down. However, the Chairman and Vice-Chairman remain in office until the AGM elects a new Chairman.
137. A vacancy on the Council may result from the death, disqualification or resignation of a Councillor. Disqualification from office may result from:
- failure to comply with relevant legislation
 - legal proceedings

- failure to attend meetings of the Council for a period of six consecutive months from the date of their last attendance unless their absence has been approved by the Council.
138. The Council may declare the office of anyone disqualified vacant by Resolution at the first available meeting.
139. The proper procedure as set out in law should be followed in advertising and filling a vacancy. **After 14 clear days**, the Council may co-opt a Councillor.
140. Where more than two people have been nominated for any position to be filled by the Council and there is no absolute majority in favour of one person in the votes cast, the name of the person having the least number of votes should be deleted from the list and a fresh vote taken.

This process continues until the majority of votes (including the Chairman's casting vote if necessary) favour one candidate.

Employee vacancies

141. All decisions relating to employee vacancies must be taken in accordance with appropriate employment legislation.
142. Vacancies are open to applicants irrespective of disability, ethnic origin, marital status, age, race, religion, sex, or sexual orientation.
143. Appointments should be made on the basis of **a candidate's ability to do the job**.
144. The Council should set up an Interview Panel for the office of Clerk. This is a Working Party consisting of Chairman, Vice-Chairman and one other Councillor. It should have a quorum of 3 so that recommendations for appointment can be ratified at the next meeting.
145. Anyone applying for employment by the Council must declare in writing any relationship to a Councillor or existing employee of the Council. Applicants must be advised of this requirement and, if they fail to make appropriate disclosures, they may be disqualified from application or, if the relationship is not established until after their appointment, may be dismissed without notice.
146. Anyone applying for employment by the Council should be advised that canvassing of any Councillor, directly or indirectly, disqualifies them from appointment.
147. No Councillor should actively canvass for the appointment of any applicant for a post with the Council.

Handling staff matters

148. A matter personal to a member of staff that is being considered by a meeting of Council OR Staffing Committee.
- a Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chairman of the Staffing Committee or, if he is not available, the vice-chairman of the Staffing Committee of absence occasioned by illness or other reason and that person shall report such absence at its next meeting.
 - b The chairman of Staffing Committee or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of its employees . The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Staffing Committee.
 - c Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
 - d The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
 - e Only persons with line management responsibilities shall have access to staff records referred to in standing orders 148(c) and (d) above if so justified.
 - f Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 148(c) and (d) above shall be kept only by the Proper Officer.

Documentation

Access to documentation

149. A Councillor may as part of their duty inspect any document in possession of the Council or Committee and, if copies are available, request a copy.
150. The public may access the following documents of the Council under the Freedom of Information Act 2000:
- Minutes
 - Standing Orders
 - Financial Regulations
 - Declarations of Acceptance of Office
 - Official Register of Members' Interests
 - East Goscote PC Register of Interests folder

- electoral review documents
- job descriptions and terms & conditions of employment
- responses to planning applications
- accounting and auditing information – latest annual return, latest auditor reports, cash books, bank statements, VAT records, precept request, assets documents, risk assessments.

151. Other documents may be made available at the discretion of the Council.
152. The Council should communicate the public's right to the above information and make it available for viewing. This should include public places, as appropriate, such as on their website and in the Library.
153. Hard copies of documents should be available **on request**. A small fee may be payable for copies of large documents or multi-copies of documents.
154. Documents should be retained by the Clerk for the specified legal limits.

Council Land

155. The Council will review the loan of land to the residents of 48-56 Huntsmans Dale. A reminder letter is to be issued every 5 years (Last issued June 2011).

Planning documents

156. The Clerk should circulate copies of planning documents to **at least three Councillors** including the Chairman.
157. Where comments on planning documents need to be returned to a planning authority **before approval at the next meeting**, the Clerk may either phone up the authority to request a delay, or pass on the comments indicating the comments are subject to ratification at the next Council meeting but that a majority of Councillors have already approved them.

Sealing/signing documents

158. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
159. In accordance with a resolution made under standing order 158, 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.
160. The Clerk, as the Council's designated Proper Officer, also has authority to undertake correspondence on the Council's behalf as part of their normal duties.

Power of well-being (England)

161. 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.
162. The Council's period of eligibility begins on the date that the resolution under order above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
- a 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 the standing order above.

Changing Standing Orders

163. a All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least (6) councillors to be given to the Proper Officer in accordance with standing order 102 above.
 - c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
 - d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

Model standing orders that are in bold type contain statutory requirements.

These Standing Orders were adopted by East Goscote Parish Council at its meeting on 11th March 2015

Signed
Clerk

Signed
Chairman