

GREAT ASHBY COMMUNITY COUNCIL

STANDING ORDERS

MEETINGS

1. Meetings of the Council shall be held as decided at a previous meeting, or as and when decided by the Chairman.

2. In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day at which the councillors elected take office and in a year which is not an election year the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.

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

Chairman of Meeting

4. 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

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

- a. To receive declarations of acceptance of office.
- b. To receive undertakings to observe the code of conduct adopted by the council.
- c. To receive and record notices disclosing interests.
- d. To receive and retain plans and documents.
- e. To sign notices or other documents on behalf of the Council.
- f. To receive copies of byelaws made by a District Council.
- g. To certify copies of byelaws made by the Council.
- h. To sign summonses to attend meetings of the Council.

In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the clerk.

Quorum

6. Four members shall constitute a quorum of meetings of the Council

7. If a quorum is not present when the Council meets or if during a meeting the number of councillors present and not debarred by reason of a declared interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.

Voting

8. Members shall vote by show of hands, or, if at least two members so request, by signed ballot (done in such a way that standing order 10 (meetings) can be applied if necessary).

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

10. A member may request that his vote be recorded. Such a request must be made before moving on to the next business.

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

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

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

ORDER OF BUSINESS

(In an election year Councillors should execute Declarations of Acceptance of Office in each others presence, or in the presence of a proper officer previously authorised by the Council to take such declaration, before the annual meeting commences.)

1. At each Annual Parish Council Meeting the first business shall be
 - To elect a Chairman of the Council.
 - To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
 - In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
 - To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the council which have not been received as provided by law shall be received.
 - To elect a Vice-Chairman.
 - To appoint any committees or any other officers which the Council deems necessary.
 - To appoint representatives on any other organisation or authority, which the Council deems necessary.
2. At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made, or if not then received to decide when they shall be received.
3. In every year the Council shall review the pay and conditions of service of the clerk and any other employees as per the relevant clause(s) in the Contract(s) of Employment.
4. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall normally be as follows:
 - To read and consider the Minutes: provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - After consideration to approve the signature of the Minutes by the person presiding as a correct record.
 - To deal with business expressly required by statute to be done.

- To dispose of business, if any, remaining from the last meeting
 - To answer questions from members of the public
 - To receive the clerk's report (including matters arising).
 - To receive such communications as the person presiding may wish to lay before the Council.
 - To answer questions from Councillors.
 - To deal with planning matters.
 - To receive and consider reports and minutes of committees.
 - To authorise the sealing/signing of documents.
 - To consider resolutions or recommendations.
 - To authorise the signing of orders for payment.
 - To receive reports from the County and District Councillors.
 - Any other business which has been specified in the summons.
 - To receive correspondence.
5. A motion to vary the order of business on the ground of urgency
- may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
 - Shall be put to the vote without discussion.

RESOLUTIONS MOVED ON NOTICE

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 not later than Wednesday in the week before the next meeting of the Council.
2. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
3. If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
4. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
5. Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

1. Resolutions dealing with the following matters may be moved without notice:
 - To appoint a Chairman of the meeting.
 - To correct the Minutes.
 - To approve the Minutes.

- To alter the order of business.
- To proceed to the next business.
- To close or adjourn the debate.
- To refer a matter to a committee.
- To appoint a committee or any members thereof.
- To adopt a report.
- To authorise the sealing of documents.
- To amend a motion.
- To give leave to withdraw a resolution or an amendment.
- To extend the time limit for speeches.
- To exclude the public.
- To silence or eject from the meeting a member named for misconduct.
- To invite a member having an interest in the subject matter under debate to remain.
- To give the consent of the Council where such consent is required by these Standing Orders
- To suspend any Standing Order.
- To adjourn the meeting.

QUESTIONS

1. A member may ask the Chairman or the Clerk any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins.
2. No questions not connected with business under discussion shall be asked unless the Chairman gives permission.
3. Every question shall be put and answered without discussion.
4. A person to whom a question has been put may decline to answer.

RULES OF DEBATE

1. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
2. Members will discuss the items on the agenda in an orderly and courteous manner. Members shall speak in turn, directing their comments through the chair.
3. A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
4. Members shall keep their discussion to the item on the agenda which is currently under discussion or to a question of order.
5. No member may speak for an excessive time except by consent of the Council.
6. An amendment shall be either:
 - To leave out words.

- To leave out words and insert or add others.
 - To insert or add words.
7. An amendment shall not have the effect of negating the resolution before the Council.
 8. If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
 9. A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
 10. A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
 11. When a resolution is under debate no other resolution shall be moved except the following:
 - To amend the resolution.
 - To proceed to the next business.
 - To adjourn the debate.
 - That the question be now put.
 - That a member named be not further heard.
 - That a member named does leave the meeting.
 - That the resolution be referred to a committee.
 - To exclude the public and press.
 - To adjourn the meeting.
 12. The ruling of the Chairman on a point of order shall not be discussed.
 13. Members shall address the Chairman.

CLOSURE

1. At any point a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded the Chairman shall put the motion but, in the case of a motion "to put the question", only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption. (Note: Where a meeting is adjourned the subsequent proceedings are part of the original meeting and no new notices or agendas need to be issued except a notification to members not present of the date of the continuation of the meeting.)

DISORDERLY CONDUCT

1. All members must observe the Code of Conduct
2. No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
3. If, in the opinion of the Chairman, a member has acted in a manner contrary to that required, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If a member reasonably believes that another member is in breach of the code of conduct, that member is under a duty to report the breach to the Standards Board.
4. If either of the motions mentioned in paragraph (c) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT OF REPLY

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

ALTERATION OF RESOLUTION

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

RESCISSION OF PREVIOUS RESOLUTION

1. A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least three members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
2. When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

VOTING ON APPOINTMENTS

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

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

1. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded.

RESOLUTIONS ON EXPENDITURE

1. Any resolution which is moved otherwise than in pursuance of a recommendation of a specific sub committee and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management

of or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any such committee affected by it shall consider whether it desires to report thereon on the financial aspect of the matter.

EXPENDITURE

1. Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

SEALING OF DOCUMENTS

1. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
2. Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this Order may seal, on behalf of the Council, any document required by law to be issued under seal.

COMMITTEES AND SUB-COMMITTEES

1. The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:
 - shall not appoint any member of a committee so as to hold office later than the next Annual Meeting,
 - may appoint persons other than members of the Council to any Committee; and
 - may at any time dissolve or alter the membership of a committee.
2. The Chairman and Vice-Chairman ex officio shall be members of every committee.
3. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council.
4. The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
5. Every committee may appoint sub-committees for purposes to be specified by the committee.
6. The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.
7. Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-third of its members, with a minimum of two members.
8. The Standing Orders on rules of debate and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

ADVISORY COMMITTEES

1. The Council may appoint advisory committees.
2. The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.

3. An advisory committee may make recommendations and give notice thereof to the Council.
4. An advisory committee may consist wholly of persons who are not members of the Council.

VOTING IN COMMITTEES

1. Members of committees and sub-committees entitled to vote shall vote by show of hands, or, if at least two members so request, by signed ballot.
2. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

1. A member who has proposed a resolution which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.
2. Any Council member, shall unless the Council otherwise orders, be entitled to be present at meetings of any committee of which he is not a member, but shall not vote.

ACCOUNTS AND FINANCIAL STATEMENT

1. All accounts for payment and claims upon the Council shall be laid before the Council.
2. Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer for payments with the approval of the Chairman or Vice-Chairman of the Council.
3. All payments ratified under sub-paragraph (2) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.
4. The Clerk shall supply to each member a copy of the Council's annual accounts when they are submitted for audit.

ESTIMATES

1. The Council shall approve written estimates for the coming financial year at its meeting in the month of January.
2. Any committee desiring to incur expenditure shall, not later than 31 December give to the Clerk a written estimate of the expenditure recommended for the coming year.

INTERESTS

1. If a member has a personal interest as defined in the Code of Conduct then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of the interest as required.
2. If any member 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.
3. The Clerk may be required to compile and hold a Register of Member's Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.
4. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed

without notice. The Clerk shall report to the council or to the appropriate committee any such disclosure.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

1. Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
2. A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
3. This order shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

1. A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
2. All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

UNAUTHORISED ACTIVITIES

1. No member of the Council or of any committee shall in the name of or on behalf of the Council
 - Inspect any lands or premises which the council has a right or duty to inspect; or
 - Issue orders, instructions or directions unless authorised to do so by the Council or the relevant committee or subcommittee.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

1. The public shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public and press 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 public be temporarily excluded and they are instructed to withdraw."
(Notes: The special reasons should be stated. If a person's advice or assistance is needed he may be invited (by name) to remain after the exclusion resolution is passed.)
2. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
3. If a member of the public interrupts the proceedings at any meeting, the chairman may, after warning, order that he be removed from the Council Chamber.
4. The time limit to speak by a member of the public is 5 minutes per person and a maximum of 20 minutes is allowed for public questions and comments to be raised.

CONFIDENTIAL BUSINESS

1. No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the subcommittee as the case may be.
2. Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee or subcommittee of the Council by the Council.

LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

1. District and County Councillors representing Great Ashby may be invited to attend the ordinary meetings of the Council and where the business is relevant to the authorities on which they serve, may, at the invitation of the Chairman, speak without Standing Orders being suspended.
2. A notice of meeting shall be sent to the District Councillor or Councillors for the district ward.

PLANNING APPLICATIONS

1. The Clerk shall, as soon as it is received, enter on the agenda for the appropriate meeting the following particulars of every planning application notified to the Council:-
 - the date on which it was received;
 - the name of the applicant;
 - the place to which it relates;
 - a summary of the nature of the application.
2. The Clerk shall refer every planning application to the Chairman of the Planning Committee or in the Chairman's absence to the Vice-Chairman at least three days prior to the relevant meeting.

STANDING ORDER ON CONTRACTS

1. Every contract whether made by the Council or by a Committee to which the power of making contracts has been delegated shall comply with these Standing Orders, and no exception from any of the following provisions of these standing orders shall be made otherwise than by the direction of the Council or in an emergency by such Committee as aforesaid, provided that these Standing Orders shall not apply to contracts which relate to items (1) to (5) below:
 1. the supply of gas, electricity, water, sewerage and telephone services;
 2. specialist services such as are provided by solicitors, architects, surveyors and planning consultants;
 3. work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 4. work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council - the value of the extension to be no more than 50% of the original contract: and
 5. Goods or materials proposed to be purchased which are proprietary articles and/or which are sold only at a fixed price.
2. Where it is intended to enter into a contract for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out below:

- For expenditure in excess of £5000 the clerk shall invite tenders from at least three firms.
 - When applications are made to waive Standing Orders relating to contracts to enable a tender to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
 - Every exception made by a Committee to which the power of making contracts has been delegated shall be reported to the Council and the report shall specify the emergency by which the exception shall have been justified.
 - Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk and the last date by which such tenders should reach the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specially marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
 - All sealed tenders shall be opened at the same time on the prescribed date by the Clerk or the properly authorised deputy in the presence of at least one Council Member.
 - If less than three tenders are received for contracts valued above £5000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works (e.g. seeking further tenders or proceeding with number received.)
 - Any invitation to tender issued under these Standing Orders shall contain the statements:
 - "The Council is not obliged to accept the lowest or any tender submitted."
 - "This Council does not accept any costs incurred in the preparation and submission of any tender."
3. Council members shall not be precluded from tendering for supplies or services to the Council provided that the requirements of Standing Orders are complied with on all occasions.

CODE OF CONDUCT ON COMPLAINTS

1. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer, member or employee in the manner recommended in Circular 2/86 re-issued by the National Association of Local Councils.

ABSENCE FROM MEETINGS

1. Apologies for absence from meetings of the Council shall be recorded in the minutes by the clerk. If no apologies are recorded the member shall be listed as absent.

EXTRAORDINARY MEETINGS

1. These can be called by the Chairman between the normal meetings of the Council if:
 - The business is urgent.
 - The business would take up excessive time at a normal meeting. or
 - A written request by at least two councillors is received.

2. The summons shall set out the business to be considered at the extraordinary meeting and no other business shall be transacted at that meeting.
3. The Standing Orders on rules of debate and the Standing Order on interests of members in contracts and other matters shall apply to extraordinary meetings.

PUBLICATION OF MINUTES

1. The draft minutes of each meeting of the Council shall be prepared by the clerk and circulated to the Chairman for initial approval prior to distribution to Members as soon as possible after the meeting. If Councillors intend to ask for amendments to the minutes they may ask the clerk not to publish the minutes until after the next meeting. If no request is made to the Clerk then the clerk will publish the minutes not less than two weeks and not more than three weeks after the date of the meeting. These minutes to be clearly marked 'Draft Minutes' - these may be subject to revision at the next meeting.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

1. 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.
2. A resolution permanently to add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

MEDIA RELATIONS

1. The Council may appoint a Press Officer who is responsible for handling enquiries from the media and for the issue of press releases and other articles to the press in the name of the Council. The Press Officer must ensure that any opinions expressed to the media on behalf of the Council are an accurate reflection of the views of the Council, as reflected in the minutes and decisions of the Council and its committees.
2. In the event of an urgent response required by the media then the Press Officer must consult with the Chairman or Vice-Chairman before issuing a statement.
3. Any Council member or employee approached by the media for the views of the Council on any issue should refer the enquirer to the Press Officer.
4. None of the above prevents Council members or employees from discussing Council business with the media. They must make it clear, however, that they are speaking on their own behalf and not for the Council.

STANDING ORDERS TO BE GIVEN TO MEMBERS

1. A copy of these Standing Orders shall be given to each new member by the Clerk upon delivery to him of the member's declaration of acceptance of office, and redistributed to all members if Standing Orders are revised.