

Standing Orders

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Bibliography

Local Government Administration

Sixth Edition

Charles Arnold-Baker

Powers and Constitutions of Local Councils

National Association of Local Councils

Standing Orders and Chairmanship

National Association of Local Councils
Society of Local Council Clerks

Local Government Act 1972

H. M. Stationery Office

STANDING ORDERS FOR LONG CRENDON PARISH COUNCIL

1. **The Statutory Annual Meeting:** **The Statutory Annual Meeting in an election year shall be held on the Monday next following the fourth day after the ordinary day of elections to the Council and in a year which is not an election year shall be held on the 1st Monday in May unless a Bank Holiday then it shall be on the 2nd Monday unless the Council decides otherwise.**
2. **Council Meetings:** Ordinary meetings of the Council shall be held on the 1st Monday of the month (unless a Bank Holiday) then it shall be 2nd Monday of the month, unless the Council decides otherwise, at 7.30p.m.

The Planning Committee meetings shall be held on the 3rd Monday of the month and start at 7.30pm
3. **Committees:** The Chairman and Vice-Chairman of the Council shall be members of every committee.

Every committee shall appoint a Chairman and Vice Chairman.

In the case of equality of voting at a meeting of the Council or one of its Committees, the Chairman of the Council or of that Committee shall have a second or casting vote.

The proceedings of all Committee meetings, as with Council meetings, shall be recorded in a Minute Book and certified as correct by the signature of the Chairman of the Committee or Council.

The Clerk shall summon a meeting of a Committee by the instruction of the Chairman of the Committee or the Chairman of the Council, or any three members of such Committee provided at least three clear days notice of such a meeting.
4. **Sub-Committees:** Every Committee may appoint a sub-committee for purposes to be specified by the Committee.
5. **Ex-Officio members of sub-committees:** The Chairman and Vice-Chairman of the Committee shall be members of every sub-committee appointed by it unless they signify they do not wish to serve.
6. **The Chairman:** **The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.**
7. **Proper officer:** Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases he/she shall be the Clerk –
 - a) To receive declaration of acceptance of office.
 - b) To receive and record notices disclosing prejudicial and personal interests.
 - c) To receive and retain plans and documents
 - d) To sign notices or other documents on behalf of the Council
 - e) To receive copies of bylaws made by a District Council.
 - f) To certify copies of bylaws made by the Council
 - g) To sign summonses to attend meetings of the Council

In any other case the proper officer shall be such persons nominated by the Council, or, in default of nomination, the Clerk.
8. **Quorum:** **A minimum of three members or one third of the Council whichever is the greater. A minimum of three members of a Standing Committee shall constitute a quorum.**

If a quorum is not present when the Council meets or if during a meeting the numbers of Councillors present falls below a quorum, the business not transacted at that meeting shall be transacted at the next meeting.
9. **Voting:** Members shall vote by show of hands or, if at least two members so request, by signed ballot.
 - a) **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.**

- b) **Subject to (i) and (ii) 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 casting vote even though he gave no original vote.**
- i) **If the persons 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 the term of office he may not give an original vote in an election for a Chairman.**
- ii) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**
10. Order of business/Annual Meeting: **At each Annual Meeting the first business shall be:-**
- a) **To elect a Chairman.**
- b) **To receive the Chairman's Declaration of Acceptance of Office, or if not then received, to decide when it shall be received.**
- c) **To decide whether any Declaration of Acceptance of Office which has not been received as provided by the law shall be received.**
- d) To elect a Vice-Chairman where necessary.
- e) To appoint committees.
11. Order of business/other business: **At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman, if the Chairman or Vice-Chairman be absent and to receive such Declarations of Acceptance of Office (if any) as are required by law to be made or, if not then received, to decide when they shall be received.**
- a) **The introduction into the venue of the Council, Committee or Sub-Committee meetings of camcorders, film cameras, audio recorders and similar electronic equipment is forbidden. Mobile telephones may be switched on with the permission of the Chairman. The use of video recorders for the purposes of illustration in connection with the Council business is permissible on the specific authority of the Chairman of the Council.**
12. Pay and Conditions – Employees: **In every year, not later than the meeting at which the precept for the next year is settled, the Council shall review the pay and conditions of existing employees.**
13. Other business: **After the first business has been completed, the order of business unless the Council otherwise decides on the grounds of urgency, shall be as follows:-**
- a) **To read and consider the minutes. Provided that a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.**
- b) **After consideration to approve the signing of the minutes by the person presiding as a correct record.**
- c) **To deal with business expressly required by statute to be done.**
- e) **To dispose of any remaining business from the last meeting.**
- f) **To receive and consider reports from officers of the Council.**
- g) **To receive and consider reports and minutes of committees.**
- h) **To consider resolutions or recommendations in the order in which they have been notified.**
- i) **Any other business specified in the summons.**
14. Urgent business: **A motion to vary the order of business on the grounds of urgency:**
- a) **may be proposed by the Chairman or by any members and, if proposed by the Chairman, may be put to the vote without being seconded and**
- b) **shall be put to the vote without discussion.**
15. Resolutions moved on notice: **Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been included on the Agenda.**
- Members may put an item or notice of resolution on the Agenda by giving the Clerk written notice of the item or resolution at least seven clear days prior to the meeting to which that agenda relates.**
16. Resolutions moved without notice: **Resolutions dealing with the following matters may be moved without notice:**

- a) To appoint a Chairman of the meeting
- b) To correct the Minutes
- c) To approve the Minutes.
- d) To alter the order of business
- e) To proceed to the next business.
- f) To close or adjourn the debate.
- g) To refer a matter to a Committee.
- h) To appoint a Committee or any member thereof.
- i) To adopt a report.
- j) To authorise the sealing of documents.
- k) To amend a resolution.
- l) To give leave to withdraw a resolution.
- n) To extend the time limit for speeches.
- o) To exclude the public.
- p) To silence or eject from the meeting a members named for misconduct.
- q) To invite a member having an interest in the subject matter under debate to remain.
- r) To give the consent of the Council where such consent is required by these Standing Orders.
- s) To suspend any Standing Order.

17. Rules of Debate: 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.

18. Rules of debate for committees and sub-committees. The Standing Orders rules of debate shall apply to committees and sub-committees.

19. Motions

- a) A motion or an amendment shall not be discussed unless it has both been proposed and seconded.
- b) A motion or amendment, if required by the Chairman be reduced to writing and handed to the Chairman before it is further discussed or put to the meeting.
- c) An amendment shall be either i) the leaving out of words, or ii) the leaving out of words and the insertion of other iii) the insertion or addition of words.
- d) If an amendment be rejected, other amendments of the original motion may be moved. A further amendment shall not be moved until the Council has disposed of all previous amendments.
- e) If an amendment be carried, it shall take the place of the original motion and shall become the motion of which any further amendment may be moved.
- f) The mover and seconded of a motion or an amendment will be permitted five minutes in which to speak on the motion or amendment and the mover shall have the right to reply before the motion or amendment is put to the vote. A member may speak on a motion or amendment once only except by permission of the Chairman.
- g) If two or more members desire to speak, the Chairman shall decide the order of speaking. Any member may direct his speech to the question under discussion or to an explanation or to a question of order, always speaking through the Chair.
- h) The ruling of the Chairman on a point of order or on the admissibility of the personal explanation shall not be open to discussion. Whenever the Chairman speaks or rises to speak during a debate a member then speaking or standing shall resume his seat and the Council shall be silent.
- i) A member, at the conclusion of another member's speech, may move without comment, 'that the question be now put', 'that the debate be now adjourned', 'that the Council do now adjourn' on the seconding of which the Chairman, if in his opinion the question before the meeting has been sufficiently discussed, shall put to the vote.
- j) Where, on any motion, there is equality of the voting the Chairman shall have a second or casting vote.

20. Disorderly conduct: 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 scandalise the Council or bring it into contempt or ridicule.

If, in the opinion of the Chairman, a member has broken this provision, the Chairman shall express the 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 either of the above is disobeyed, the Chairman may suspend the meeting or take such further steps as may be reasonably necessary to enforce them.

21. Right to reply: The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed, the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right to reply shall not introduce a new matter. After the right to reply has been exercised or waived, a vote shall be taken without further discussion.
22. Alteration of resolution A member may, with the consent of his seconder, move amendments to his own resolution.
23. Rescission of preceding resolution A decision of the Council (whether affirmative or negative) shall not be reversed within six months except by a special resolution, the written notice of which bears the names of at least three members of the Council. When such a resolution has been disposed of, no similar resolution may be moved within a further six months.
24. Discussions and resolutions affecting employees of the Council If at a meeting there arises any questions 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.
25. Expenditure: Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.
26. Accounts and Financial Statements The Council will abide by the Long Crendon Parish Council's Financial Regulations.
27. Prejudicial Interests If a member who has declared a personal interest then considers the interest to be prejudicial he shall declare that, and, after making any representations, answering questions or giving evidence relating to that business, he must withdraw from the room or chamber for the remainder of the consideration of the item to which the interest relates.
28. Personal interest: If a member has a personal interest within the meaning of the Nation code of Local Government Conduct he may, having declared it, remain and vote, providing it is not also prejudicial.
29. Disclosure of Relationships: 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 to do so 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 disclosures. Where a relationship to a member is disclosed, Standing Order 28 shall apply.

The Clerk shall make known the purport of the Standing Order to every candidate.
30. Canvassing of and recommendation by members: Canvassing of members of the Council directly or indirectly for any appointment under the Council shall disqualify the candidate for such appointment and members of the Council shall not solicit for a person any appointment under the council. This does not preclude a member from giving a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

31. Inspection of Minutes: **All minutes kept by the Council and by any Committee shall be open for inspection of any member of the Council.**
32. Admission of the public and press to meetings: **The public shall be admitted to all meetings of the Council and its committees and sub-committees which may, however, temporarily exclude the public by means of the following resolution viz-**
- 'That in the 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'
33. The Press The Clerk shall afford to the press reasonable facilities for making their report of any proceedings at which they are entitled to be present.
34. Interruptions by the Public: 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.
35. Confidential business
- a) 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 sub-committee as the case may be, under the provisions of the Nation Code of Conduct.
- b) Any member in breach of the provisions of paragraph a. of this Standing Order shall be removed from any Committee or sub-committee of the Council by the Council.
36. Planning Application: The Clerk, as soon as it is received, shall enter in a book kept for the purpose the following particulars of every planning application notified to the Council-
- a) Date on which it was received.
- b) The name of the applicant
- c) The place to which it relates
- d) A summary of the nature of the application.
37. Contracts The Council abides by the Long Crendon Parish Council's Financial Regulations with regard to contracts.
38. Variation revocation and suspension of Standing Orders Any or every part of the Standing Orders, except those printed in **Bold Type** and which are mandatory, may be suspended by resolution in relation to any specific item of business.
39. Standing Orders A copy of the Standing Orders shall be supplied to each member of the Council.