

**Crakehall with Langthorne Parish Council**  
**Standing Orders**  
**(Reviewed and revised April 2020)**

The Statutory Annual Meeting	1	Expenditure	27
Chairman of the Meeting	3	Advisory Committees	28
Proper Officer	4	Voting in Committees	29
Quorum of the Council	5	Accounts and Financial Statement	30
Voting	7	Precepts	32
Order of Business	8	Interests	33
Urgent Business	12	Inspection of Documents	36
Matters of Urgency	13	Unauthorised Activities	38
Resolutions Moved on Notice	14	Admission of the Public and Press to Meetings	39
Resolutions Moved without Notice	15	Confidential Business	44
Questions	16	Liaison with County and District Councillors	45
Rules of Debate	19	Planning Applications	46
Disorderly Conduct	22	Financial Matters	47
Right to Reply	23	Code of Conduct	48
Alterations of Resolution	24	Variation, Revocation etc	49
Rescission of Previous Resolution	25	Members	51
Discussions and Resolutions Affecting Employees of the Council	26	Addendum	

## STANDING ORDERS

### 1. The Statutory Annual Meeting

In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office. 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.

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

### 3. Chairman of the Meeting

The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

The Council adopts a rotating Chairmanship with a maximum term of office of two years.

### 4. Proper Officer

Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he shall be the clerk or nominated officer: -

To receive declarations of acceptance of office.

To receive and record notices disclosing interests at meetings.

To receive and retain plans and documents.

To sign notices or other documents on behalf of the Council.

To receive copies of bylaws made by another local authority.

To certify copies of bylaws made by the Council.

To sign and issue the summons to attend meetings of the Council.

To keep proper records for all Council meetings.

## **5. Quorum of the Council**

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

6. If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

## **7. Voting**

- 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. Such a request must be made before moving on to the next business.

(1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, and in any 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.

- b) When the council is considering the co-option of members:

- i) All candidates will be invited to the meeting and offered the opportunity to make a brief presentation (in addition to anything they have already submitted in writing);
- ii) Questions and / or comments from councillors will follow;
- iii) There may then be discussion as required reserving the right to go into private session if that is proposed and seconded and agreed;
- iv) There will then be a secret ballot with papers handed to the clerk;
- v) The Clerk will announce results and if there is no absolute majority of those present in favour of one candidate then the candidate with the lowest number of votes is eliminated and a further vote is taken (until there is an absolute majority);
- vi) - The successful candidate is announced and invited to sign the "acceptance of office" paperwork and then join the meeting.

## **. Order of Business**

**At each Annual Parish Council Meeting the first business shall be:-**

- a) To elect a Chairman of the Council

- b) **To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- c) **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 which have not been received as provided by law shall be received.**
- d) To elect a Vice-Chairman of the Council.
- e) To appoint representatives to outside bodies.

and shall thereafter follow the order set out in the Standing Order No. 11.

- 9. **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.**
- 10. In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order No. 25 must be read in conjunction with this requirement.
- 11. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-
  - a) **After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
  - b) **To deal with business expressly required by statute to be done.**

#### 12. Urgent Business

A motion to vary the order of business on the ground of urgency:

- a) 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
- b) Shall be put to the vote without discussion.

#### 13. Matters of Urgency

An item of business which the chairman believes is of such importance that it cannot wait until the next meeting.

#### 14. 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 put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 5 clear days before the next meeting of the Council

#### 15. 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 exclude the press and public. (see Standing Order No. 38)
- f) To silence or eject from the meeting a member named for misconduct. (see Standing Order No. 21)

#### 16. Questions

No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

17. Every question shall be put and answered without discussion.

18. A person to whom a question has been put may decline to answer.

#### 19. Rules of Debate

No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman

a) An amendment shall be either:-

- i) To leave out words.
- ii) To leave out words and insert others
- iii) To insert or add words.

b) An amendment shall not have the effect of negating the resolution before the Council.

- c) 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.

20. A member shall remain seated when speaking unless requested to stand by the Chairman.

21. Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.

## 22. Disorderly Conduct

a) **All members must observe the most recent Code of Conduct adopted by the council**

- b) 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.**

c) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (b) of this Order, 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 another member is in breach of the code of conduct, that member is under a duty to report the breach to the Standards Board (England) or the Local Commissioner (Wales).**

- d) If either of the motions mentioned in paragraph c is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

## 23. 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 of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

## 24. Alterations of Resolution

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

## 25. Rescission of Previous Resolution

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 2 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.

## 26. Discussions and Resolutions Affecting Employees of the Council

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 press and public shall be excluded.

## 27. Expenditure

**Orders for the payment of money shall only be made in strict accordance of the terms of the Council's Financial Regulations.**

## 28. Advisory Committees

- 1) The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- 2) The Council shall provide the members of each advisory committee with the terms of reference of the committee.
- 3) An advisory committee is not a decision-making body – it may only make recommendations and give notice thereof to the Council
- 4) An advisory committee may consist, if the Council so determines, wholly of persons who are not members of the Council.
- 5) An advisory committee must appoint a Chairman on at least an annual basis.

## 29. Voting in Committees

**Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

## 30. Accounts and Financial Statement

- 1) Except as provided in paragraph (2) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be pre-authorized by 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 clerk / Responsible Financial Officer. and made in accordance with the terms of the Council's Financial Regulations. . All payments ratified under subparagraph (2) of this Standing Order shall be included in the next schedule of payments before the Council.

31. A Financial Statement prepared on the appropriate accounting basis for a year to 31 March shall be presented to the Council before the end of the following month of May. The Statement should be presented for the Council's approval after an internal audit so that an external audit can follow.

## 32. Precepts

The council shall approve the precept for the coming financial year at its meeting before the end of the month of November.

### 33. Interests

If a member has a personal interest as defined by the current Code of Conduct then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

34. If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.

35. The Clerk may be required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

### 36. Inspection of Documents

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.

37. All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

### 38. Unauthorised Activities

No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:-

- a) Inspect any lands or premises which the Council has a right or duty to inspect; or
- b) Issue orders, instructions or directions.

Unless authorised to do so by the Council or the relevant committee or sub-committee.

### 39. Admission of the Public and Press to Meetings

**The public and press shall be admitted to all meetings of the Council and its committees, which may, however, temporarily exclude** the public by means of the following resolutions:

To consider the exclusion of the public and press because of the special or confidential nature of the business to be transacted under those items.

40. The Council shall state the special reason for exclusion and record the outcome of the discussions about the item in the public record of the minutes.



41. At all meetings of the Council the Chairman may at his discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.

42. The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

43. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

#### 44. Confidential Business

- 1) No member of the Council or of any committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council or the committee as the case may be.

#### 45. Liaison with County and District Councillors

An Agenda for each meeting shall be sent, together with an invitation to attend, to the County and District Councillor for the appropriate division or ward.

#### 46. Planning Applications

The Clerk shall as soon as it is received, notify all members of Planning Applications received and the date by which a response is required. Wherever possible matters will be discussed at the next available meeting but if deadlines make this not possible then the clerk shall seek the views of individual members with a view to reaching a consensus. If there are differing views the majority view shall prevail and if there is equality the clerk will consult the chairman before submitting a response on behalf of the council.

#### 47. Financial Matters

The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

- 1) The Financial Regulations of the Council shall be subject to annual review, and a more substantial review at least once every four years.

#### 48. Code of Conduct on Complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board (England) or Commission (Wales) for consideration.

#### 49. Variation, Revocation and Suspension of Standing Orders

Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.

50. 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.

#### 51. Standing Orders to be Given to Members

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.

### **Addendum**

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the 2020 Regulations") came in to force on 4 April 2020. The 2020 Regulations enable local councils to hold remote meetings (including by video and telephone conferencing) for a specified period until May next year. They also remove the requirement to hold an annual meeting. The 2020 Regulations apply to local council meetings, committee and sub-committee meetings in England.

