POULTON & PULFORD PARISH COUNCIL

STANDING ORDERS

REVISED 2021

Index of Standing Orders

Standing Order	Details	Page
1	Meetings	
2	Disorderly Conduct	
3	Ordinary Council Meetings	
4	Extraordinary meetings	
5	Motions requiring written notice	
6	Motions not requiring written notice	
7	Management of Information	
8	Minutes	
9	Code of conduct	
10	Proper Officer	
11	Expenditure	
12	Accounts and Accounting Statements	
13	Financial Controls and Procurement	
14	Estimates/Precepts	
15	Responsibilities under Data Protection Legislation	
16	Execution and sealing of legal deeds	
17	Liaison with Unitary Councils	
18	Allegations of breach of the code of conduct	

1 Meetings

a	Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
b	**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 or a day appointed for public thanksgiving or mourning.** The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.
c	**Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
d	Meetings of the Council shall usually take place on the last Wednesday of every third month , starting in January at 7 pm unless the Council decides otherwise at the previous meeting
e	Public speaking will be allowed after the minutes of the previous meeting have been adopted and shall not exceed 10 minutes at the discretion of the Chairman
f	The Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response
g	A record of public participation at a meeting shall be included in the minutes of that meeting
h	A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). Before speaking the person will state their name and address. The chairman of the meeting may at any time permit a person to be seated when speaking.
i	A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
j	Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
k	Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior (written) consent
l	**In accordance with standing order 1(c) above 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.**

m	**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 there is one).**
n	**The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) 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.**
o	**Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors**
p	**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. (***see also standing orders 2(i) and (ii) below*
q	**The minutes of a meeting shall record the names of Councillors present, apologies received and disclosure of interests**
r	**The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting**
s	**An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes (***see also standing orders 7 & 8 below)*
t	**No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**
u	**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.
v	A meeting shall not exceed a period of 2 hours
w	**Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee**
x	**The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council**
y	

2 Disorderly Conduct

a **No person shall obstruct the transaction of business at a meeting or behave**

offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.

b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3 Ordinary Council Meetings

See also standing order 1 above

a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office**

b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in April/May as the Council decides**

c **If no other time is fixed, the annual meeting of the Council shall take place at 7pm.**

d **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 decides.**

e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**

f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council**

g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**

h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**

i Review and adoption of appropriate standing orders

ii Review of representation on or work with external bodies and arrangements for reporting back

iii Review of inventory of land and assets including buildings and equipment

iv Review and confirmation of insurance cover in respect of all insured risks

v Review of the Council's and/or employees' membership of other bodies

4 Extraordinary Meetings

a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**

b **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**

5 Motions Requiring Written Notice

a **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.**

b The Proper Officer may, before including a motion on the agenda received in accordance with standing order 4(a) correct obvious grammatical or typographical errors in the wording of the motion.

c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 5 clear days before the meeting.

d 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.

e The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final

f Motions received shall be recorded and numbered in the order that they are received.

g Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection

6 Motions not requiring written notice

a **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 for reasons of urgency or expedience**

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 other 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 or legal requirements);**

xvi. **to adjourn the meeting; or**

xvii. **to close the meeting.**

xviii. **To approve the absences of Councillors**

xix. **To consider reports /recommendations made by a committee, sub-committee , employee or professional advisor**

xx. **To authorise the payment of monies in accordance with the financial regulations of the Council**

7 Management of Information

a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**

b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form.**

c **Online access codes shall be securely kept by the Chairman and Proper Officer**

8 Minutes

a	There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy.
b	The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate
c	The minutes of the meeting shall be placed on the Parish Website together with financial and other relevant information within one month of the meeting

9 Code of Conduct

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.

10 Proper Officer

a **The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent**

b The Proper Officer shall:

at least three clear days before a meeting of the council, a committee or a

sub-committee**,**

i serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and

ii provide, in a conspicuous place and the Parish Website, public notice of the time,place and agenda (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 the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;

Iv facilitate inspection of the minute book by local government electors;

v receive and retain copies of byelaws made by other local authorities;

vi hold acceptance of office forms from councillors;

vii hold a copy of every councillor's register of interests;

viii assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;

ix liaise, as appropriate, with the Council's Data Protection Officer;

x receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;

xi assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);

xii arrange for legal deeds to be executed;
(*see also standing order 23);*

xiii arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;

xiv record every planning application notified to the Council in electronic form and place on the agenda of the next Council meeting

xv refer a planning application received by the Council to the [Chairman or in his absence the Vice-Chairman (if there is one) of the Council] OR [Chairman or in his absence Vice-Chairman (if there is one) of the ( ) Committee] 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]

OR [( ) committee];

xvi action or undertake activity or responsibilities instructed by resolution or contained in standing orders

vii be responsible for the maintenance of the Parish Website ensuring legally required and relevant information from the above subsections is placed thereon in a format conforming where practical to the Web Content Accessibility (WCAG) guidelines

11 Expenditure

a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations

b The Council's financial regulations shall be reviewed once a year

12 Accounts and Accounting Statements

a **All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.**

b The Responsible Financial Officer shall supply to each councillor as soon as practicable before each meeting of the Council

i. the Council's receipts and payments (or income and expenditure) for the quarter;

ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;

iii. the balances held at the end of the quarter being reported

c As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and

ii. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.

13 Financial Controls and Procurement

a **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. **whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.**

vi. **The procedures for obtaining quotations for the procurement of goods, services and materials. These are detailed in the Parish Council Procurement Policy document**

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

c Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering quotations, is bound to accept the lowest value quotation.

14 Estimates/Precepts

a The Council shall approve written estimates for the coming financial year at its January meeting

15 Responsibilities under Data Protection Legislation

a **The Council shall appoint a Data Protection Officer.**

b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**

c **The Council shall have a written policy in place for responding to and managing a personal data breach.**

16 Execution and Sealing of Legal Deeds

a 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

17 Liaison with Unitary Councillors

a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council OR Unitary Council representing the area of the Council.

18 Allegations of breaches of the code of conduct

a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Council

SIGNED

Chairman: …… …… Date: …….. Minute Item ……..

Clerk: …… …… Date: ……..