# Poulton and Pulford Parish Council

# STANDING ORDERS

## (Revised June 2025,

## based on NALC guidelines)

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Standing orders that are in **bold type** contain legal and statutory requirements.

# 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.**

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 February with meetings in May, August and November unless the Council decides otherwise. Meetings to start 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 30 minutes at the discretion of the Chairperson. A member of the public shall not speak for more than 10 minutes.

f. The Chairperson 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 their 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 Chairperson 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 their comments to the Chairperson of the meeting.

j. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairperson of the meeting shall direct the order of speaking.

k. **Subject to standing order 1(l), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**

l. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

m. **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.**

n. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairperson of the Council may in his absence be done by, to or before the Vice-Chairperson of the Council (if there is one).**

o. **The Chairperson of the Council, if present, shall preside at a meeting. If the Chairperson is absent from a meeting, the Vice-Chairperson of the Council (if there is one) if present, shall preside. If both the Chairperson and the Vice-Chairperson are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

p. **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors.**

q. **The chairperson 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 standing orders 2(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.*

r. **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 their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

s. **The minutes of a meeting shall record** the time and place of the meeting, **the names of Councillors present, apologies received and disclosure of interests.**

t. **The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.**

u. **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 8 & 9 below).*

v. **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.**
Our total number of councillors is 9.

w. **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.

x. A meeting shall not exceed a period of 2 hours.

y. **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

z. **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

## 2. Ordinary Meetings

**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 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 Chair and Vice-Chair (if there is one) of the Council.**

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

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

i. Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:

**i. In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;**

ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;

iii. Review and adoption of appropriate standing orders

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

v. Review of inventory of land and assets including buildings and equipment

vi. Review and confirmation of insurance cover in respect of all insured risks

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

## 3. Extraordinary Meetings

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

b. **If the Chair 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.**

## 4. Committees and Subcommittees

a. **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

b. **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

c. **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

d. 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 the 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. may dissolve a committee or a sub-committee.

## 5. 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 chairperson of the meeting shall request such person(s) to moderate or improve their conduct.

b. If person(s) disregard the request of the chairperson of the meeting to moderate or improve their conduct, any councillor or the chairperson 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 chairperson 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.

## 6. Motions requiring written notice

a. A motion shall relate to the responsibilities of the meeting for which it is tabled 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 6(b) 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 6(b) 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.

e. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairperson 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. 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 and numbered in the order that they are received.

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

## 7. 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; to extend the time limits for speaking;

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; to temporarily suspend the meeting;

xiv. to temporarily suspend a 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.

## 8. Management of Information

*See also standing order 15.*

**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. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**

**c. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**

**d. Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

e. Online access codes shall be securely kept by the Chair and Proper Officer.

## 9. Minutes

a. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

b. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 7(a)(i).

c. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

d. If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

> "The chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but this view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

e. **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

f. Subject to the publication of draft minutes in accordance with standing order 9(e) and standing order 15(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

## 10. Code of Conduct

a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

b Unless they have 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. They may return to the meeting after it has considered the matter in which he had the interest.

c **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

d A decision as to whether to grant a dispensation shall be made by the Proper Officer.

e 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.

f Subject to standing orders 10(c) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.

**g A dispensation may be granted in accordance with standing order 10(e) if having regard to all relevant circumstances any of the following apply:**

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;**

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.**

**h Complaints: Upon notification by the Principal 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 them. Such action excludes disqualification or suspension from office.**

## 11. 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:

i. **at least three clear days before a meeting of the council, a committee** or a sub-committee**,**

- **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**
- **Provide, in a conspicuous place, 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).**

*See standing order 1(b) for the meaning of clear days for a meeting of a full council or a committee;*

ii. convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;

iii. **facilitate inspection of the minute book by local government electors;**

iv. **receive and retain copies of byelaws made by other local authorities;**

v. hold acceptance of office forms from councillors;

vi. hold a copy of every councillor's register of interests;

vii. 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;

viii. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);

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

x. 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);

xi. arrange for legal deeds to be executed; (*see also standing order 17);*

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

xiii. 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. refer a planning application received by the Council to the Chair or in their absence the Vice-Chair (if there is one) 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. manage access to information about the Council via the publication scheme; and

c 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.

## 12. Responsible Financial Officer

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.

## 13. Accounts and Accounting Statements

a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".

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

c The Responsible Financial Officer shall supply to each councillor as soon as practicable at the end of each month a statement to summarise:

i. the Council's receipts and payments (or income and expenditure) for each 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 and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

d 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 2 of the Annual Governance and Accountability Return (AGAR) as required by proper practices, for consideration and approval.

e The year-end accounting statements shall be prepared in accordance with

proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

## 14. 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.

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

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. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

iv. 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;

v. 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 the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

## 15. Responsibilities to Provide Information

*See also standing order 16.*

a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

b. *If gross annual income or expenditure (whichever is higher) does not exceed £25,000* **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

## 16. Responsibilities under Data Protection Legislation

*Below is not an exclusive list. See also standing order 8.*

a The Council may appoint a Data Protection Officer.

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

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

d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**

e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**

f **The Council shall maintain a written record of its processing activities.**

## 17. Execution and Sealing of Legal Deeds

*See also standing orders 15(b)(xi)*

a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

b **Subject to standing order 17(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

## 18. Communication with District and County or 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.

b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council OR Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.

## 19. Restrictions on Councillor Activities

a. Unless duly authorised 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.

## 20. Standing Orders Generally

a. All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

b. The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.

c. The decision the chair of a meeting as to the application of standing orders at the meeting shall be final.

| | Signature: | Date: | Minute item: |
|---|---|---|---|
| Chair: | | | |
| Clerk: | | | |