

WOODHOUSE PARISH COUNCIL

STANDING ORDERS FOR THE REGULATION OF COUNCIL'S BUSINESS

Adapted from NALC Model SOs 2018

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1. MEETINGS

- (a) Meetings of the Parish Council shall be held at **6.45 p.m.** unless the Council decides otherwise at a previous meeting.
- (b) The Statutory Annual Meeting (a) in an election year shall be held on the Monday next following the fourth day after the ordinary elections to the Council and (b) in a year which is not an election year shall be held on the second Monday in May.
- (c) The three other statutory meetings shall be held on the first Monday in September, December and March.
- (d) Additional meetings shall be held on such dates as Council approves at the Annual Business Meeting held in May.

2. CHAIRMAN OF 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.

3. 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 declarations of acceptance of office
- (b) To receive and record notices disclosing pecuniary 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 byelaws made by the District Council
- (f) To certify copies of byelaws made by the Council
- (g) To sign summonses to attend meetings of the Council
- (h) In any other case the proper officer should be the person nominated by the Council and in default of nomination, the Clerk

4. QUORUM

- (i) Three members shall constitute a quorum
- (ii) 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 declared pecuniary interest falls below the quorum, the business not transacted at that meeting shall stand adjourned; and be transacted at the next meeting, or on such day as the Chairman may fix.

5. VOTING

- (a) Members shall vote by show of hands or, if at least two members so request, by signed ballot
- (b) If a member so requires, the Clerk shall record in the minutes of the meeting the names of the members who voted on any proposition so as to show whether they voted for or against the proposition or abstained from voting
- (c) Subject to (d) and (e) 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 even if he gave no original vote
- (d) 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
- (e) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman

6. ORDER OF BUSINESS

- (a) In an election year, councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of the Proper Officer previously authorised by the Council to take such declaration, before the annual meeting commences
- (b) At each annual meeting the first business shall be
 - (i) To elect a Chairman
 - (ii) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received
 - (iii) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations
 - (iv) To decide when any declarations of acceptance of office, which have not been received as provided by law, shall be received
 - (v) To elect a Vice-Chairman
 - (vi) To appoint Committees
 - (vii) To consider payment of any subscriptions falling to be paid annually

and shall thereafter follow the order set out in (d) below

- (c) At every meeting other than the annual meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman are absent; and to receive such declaration 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
- (d) 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:

- (i) To read and consider the Minutes provided that if a copy has been circulated to each member not later than the day of the issue of the summons to attend the meeting, the Minutes may be taken as read
- (ii) After consideration to approve the signature of the Minutes by the person presiding as a correct record
- (iii) To deal with business expressly required by statute to be done
- (iv) To dispose of business, if any, remaining from the last meeting
- (v) To receive such communications as the person presiding may wish to lay before the Council
- (vi) To answer questions from councillors
- (vii) To receive and consider reports and minutes of committees
- (viii) To receive and consider reports from officers of the Council
- (ix) To authorise the signing of orders for payment if not previously agreed
- (x) To consider motions or recommendations in the order in which they are notified
- (xi) Any other business specified in the summons
- (e) A motion to vary the order of business on the ground of urgency:
 - (i) 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
 - (ii) shall be put to the vote without discussion

7. MOTIONS MOVED ON NOTICE

- (a) The Clerk shall insert in the summons for every meeting all notices of motion or recommendations properly given in the order in which they have been received unless the member giving notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it
- (b) If a motion 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 dealt with without fresh notice
- (c) If the subject matter of a motion comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committees 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
- (d) Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area

8. MOTIONS WITHOUT NOTICE

Motions 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 members thereof
- (i) To adopt a report
- (j) To authorise the sealing of documents
- (k) To amend a motion
- (l) To give leave to withdraw a motion or amendment
- (m) To extend the time limit for speeches
- (n) To exclude the public

- (o) To silence or eject from the meeting a member named for misconduct
- (p) To invite a member having an interest in the subject matter to remain
- (q) To give the Consent of the Council where such consent is required by these Standing Orders
- (r) To suspend any Standing Order
- (s) To adjourn the meeting

9. QUESTIONS

- (a) A member may ask the Chairman or the Clerk any question concerning the business of the Council
- (b) No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions
- (c) Every question shall be put and answered without discussion
- (d) A person to whom a question has been put may decline to answer
- (e) If the Chairman is of the opinion that the question is out of order, or of a personal character, or in the interests of the Council it is undesirable, he shall so inform the member and shall not allow the question to be put

10. RULES OF DEBATE

- (a) No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and shall be initialled by the Chairman
- (b) A motion or amendment shall not be discussed unless it has been proposed and seconded and, if it shall be required by the Chairman, be put into writing and handed to him before it is further discussed or put to the meeting
- (c) A member may not propose or second a motion or amendment in which he is disqualified from voting
- (d) An amendment shall be whether:
 - (i) to leave out words
 - (ii) to leave out words and insert or add others
 - (iii) to insert or add words

An amendment shall not have the effect of negating the motion before the Council

- (e) if an amendment be lost, other amendments may be moved on the original motion. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved
- (f) The mover of a motion or of an amendment shall have a right of reply, not exceeding ten minutes
- (g) A member, other than the mover of a motion shall not, without leave of the Council, speak more than once on any motion except to move an amendment or further amendment or on an amendment or point of order, or in personal explanation or to move a closure

11. CLOSURE

- (a) A member may at the conclusion of the speech of another member move "that the proposition under discussion be now put" ("the closure")
- (b) The proposal and seconding of the closure shall be formal and without comment and there shall be no debate on it. The closure shall be put immediately to the vote unless it appears to the Chairman that the proposition to which it is sought to apply the closure has not been sufficiently discussed
- (c) If the closure is carried, the motion or amendment, which is the subject of the interrupted debate, shall be put without further discussion, subject to the mover of the original motion first having a right of reply

12. CONDUCT OF MEMBERS

- (a) If any member in the opinion of the Chairman misconduct himself by persistently disregarding the ruling of the Chairman, or by behaving irregularly, improperly, or offensively, or wilfully obstructing the business of the Council, or by tedious repetition or unbecoming language in his speech, the Chairman or any other member may move "that the member named be not further heard" and such motion if seconded shall be put and determined without discussion
- (b) If the member named continues his misconduct after a motion under the previous paragraph has been carried the Chairman shall either:
 - (i) move "that the member named to leave the meeting" (in which case the motion shall be put and determined without seconding or discussion) or
 - (ii) adjourn the meeting of the Council for such period as he in his discretion shall consider expedient

13. RESCISSION OF PREVIOUS RESOLUTION

- (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except by a special resolution, the written notice whereof bears the signatures of five members of the Council, or by a motion moved in pursuance of the report or recommendation of a committee
- (b) When a special motion or any other motions moved under the provisions of the above paragraph of these orders has been disposed of, no similar motion may be moved within six months

14. VOTING ON APPOINTMENTS

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 fresh vote taken, and so on until a majority of votes is given in favour of one person.

15. VOTING IN COMMITTEES

Chairmen of Committees and Sub-Committees shall, in the case of an equality of votes, have a second or casting vote.

16. EXPENDITURE

Two members of the Council shall authorise all orders for payment against the Council's bank accounts

17. ACCOUNTS AND FINANCIAL STATEMENTS

- (a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council
- (b) 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 **RFO**
- (c) All payments ratified under sub-paragraph (b) of this Standing Order shall be included in the next schedule of payments laid before the Council
- (d) The **RFO** shall supply to each member at the ordinary meeting next after the end of the financial year a statement of receipts and payments

18. ESTIMATES

The Council shall approve written estimates for the coming financial year at its meeting in the month of December or January

19. INTERESTS

- (a) If any member of the Council has any pecuniary interest, direct or indirect, within the meaning of the *Localism Act 2011*, in any contract, proposed contract or other matter, that member

shall withdraw from the meeting while the contract, proposed contract or other matter is under discussion by the Council unless the matter is trivial or:

- (i) the disability imposed on him by those sections has been removed by the District Council
or
 - (ii) the Council invites him to remain
or
 - (iii) the contract, proposed contract or other matter is under consideration as part of the report of a committee and is not itself the subject of debate
- (c) The Clerk shall record particulars of any notice given by any member or any officer of the Council of a pecuniary interest in a contract, and shall be made available for the inspection of any member

20. INSPECTION OF DOCUMENTS

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

21. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- (a) The public shall be admitted to all meetings of the Council and its committees, which may however temporarily exclude the public by means of the following motion

That the public, including the press, be excluded from the meeting because of the confidential nature of the business about to be discussed

- (b) The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present
- (c) At monthly meetings of the Council, 15 minutes will be allocated to allow members of the public to ask questions concerning items on the Agenda for that meeting
- (d) On giving written notice to the Clerk at least 3 days before a meeting, a member of the public with a prejudicial interest in any item of business on the Agenda, excepting an item of business to which paragraph 21(a) applies, may attend the meeting for the purpose of making representations, answering questions or giving evidence relating to that item of business at the time when that item of business is considered by the Council.

In the written notice referred to above the member of the public must identify the item of business in which the member of the public has an interest. The Chair in absolute discretion shall determine the length of time for which the member of the public makes representations, answers questions or gives evidence. Further in absolute discretion the Chair shall decide the order of speaking if more than one member of the public is present under the terms of this sub-paragraph

- (e) If any member of the public interrupts the proceedings at any meeting, the Chairman may, without warning, order that he be removed from the Council chamber

22. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

A notice of the meeting shall be sent together with an invitation to attend to the County Councillor for the County Division and to the District Councillor or Councillors for the District Ward

23. PLANNING APPLICATIONS

The Clerk shall refer every planning application to the Councillors appointed by the Council to consider such applications within forty-eight hours of receiving it

24. STANDING ORDERS - VARIATION, REVOCATION OR SUSPENSION OF

Any motion to vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of Council.