

# **Standing Orders**

## **Longsdon Parish Council**

### **1 COUNCIL MEETINGS**

#### **1.1 Chairing meetings**

The Chair of the Parish Council (and in his/her absence the Vice-Chair) shall preside at meetings of the council.

In the event that the person normally expected to preside the meeting is not able to, those Councillors present should decide who amongst them shall preside. The Clerk should supervise the selection by inviting nominations and putting them to the vote. Where a chair has to be selected, the meeting starts when the selection decision is made. The minutes should record the selection of the chair (i.e. 'Cllr X was selected to chair the meeting').

#### **1.2 Quorum**

No business shall be considered at a meeting of the Parish Council unless a quorum is present. A quorum consists of at least 3 Councillors who are not disqualified.

Unless the quorum is met within 30 minutes of the published starting time of the meeting, the meeting shall stand adjourned and be reconvened by the Clerk.

#### **1.3 Holding meetings**

1.3.1 An Annual Meeting of the Parish Council, alternatively referred to as the Annual General Meeting shall be held every year in the month of May. In the year of ordinary elections of Parish Councillors the Annual Meeting of the Parish Council shall be held within 14 days after the day on which Councillors elected take office.

1.3.2 The Annual Meeting of the Parish Council may be at any time but if the council does not fix a time, the meeting shall take place at 6pm.

1.3.3 In addition to the Annual Meeting of the Parish Council, at least 3 meetings shall be held in every year. The regular meetings of the Parish Council convened by the Clerk in accordance with the Standing Orders are known as Ordinary Meetings.

1.3.4 An Extraordinary Meeting of the Parish Council may be called at any time by the Chair and in his/her absence by the Vice-Chair. An Extraordinary Meeting is one which is called specifically to deal with urgent or unforeseen business.

1.3.5 Any 2 Councillors may submit a written request signed by them to the Chair of the Parish Council to call an Extraordinary Meeting. In the event of the Chair not calling an Extraordinary Meeting within 7 days of receiving the request, the 2 councillors may call an Extraordinary Meeting.

1.3.6 Meetings shall be held at a place, date and time fixed by the council. Meetings shall not be held in premises being used at the time for the supply of alcohol as permitted by the Licensing Act 2003 unless no other suitable room is available free of charge or at a reasonable cost.

1.3.7 Notice of the time and place of meetings will be fixed in the Parish Council notice boards boards and/or on the Council's web site at least 3 clear days before the meeting. Where a meeting is called by members of the council (1.3.4 above), the notice shall be signed by those Councillors and shall specify the business proposed to be transacted at the meeting (the agenda).

- 1.3.8 All Councillors shall be given at least 3 clear days written notice (at their residence) of all meetings of the council from the Clerk specifying the business proposed to be transacted in the form of an agenda. The Agenda shall be published on the Council's web site at least 3 clear days before the meeting to which it relates.
- 1.3.9 Where agreed between a Councillor and the Clerk, the delivery of notices and agenda may be made by electronic mail.
- 1.3.10 Ordinary meetings should normally conclude all business within 2 hours. This may be extended at the discretion of the Chair but under no circumstances shall exceed 3 hours.

#### **1.4 Order of Business for Annual Parish Council Meetings**

- 1.4.1 Section 15 of the 1972 Act provides that the **first** business to be transacted at the Annual Meeting of the Parish Council is the election of the Chair. The Parish Council is not lawfully constituted unless a Chair has been elected by members of the council.

The person elected as Chair is required to make and deliver his/her declaration of acceptance of office to the Clerk of the council at that meeting.

- 1.4.2 Other business matters for the Annual Meeting of the Parish Council :-

- Election of Vice-Chair;
- When the Annual Meeting follows council elections :-
  - Receipt of declarations of acceptance of office by Councillors.
  - Signing acceptance of Code of Conduct
- Record Councillors present;
- Record apologies from Councillors unable to be present ;
- Declarations of interests in respect of relevant items of business on the agenda;
- Agreeing the minutes of the last Annual Meeting and signing them;
- Deal with any business arising from minutes of the last Annual Meeting;
- Appoint representatives to
  - Longsdon Memorial Hall Management Committee;
  - Staffordshire Moorlands Parish Assembly;
- Deal with agenda items notified to the Clerk in writing at least 14 days prior to the meeting;

#### **1.5 Order of Business for Ordinary Parish Council Meetings**

- 1.5.1 At ordinary meetings of the Parish Council the following business will usually be dealt with :-

- Appoint a presiding officer if both Chair and Vice-Chair are absent;
- Record Councillors present;
- Record apologies from Councillors unable to be present;
- Declarations of interests (existence and nature) with regard to items on the agenda;
- Formal announcements from the Chair;
- Agreeing the minutes of the last meeting and signing by the presiding officer. Where minutes have been circulated at the time of summons they may be assumed to have been read;
- Dispose of any business arising from the minutes of the last meeting;
- Any business remaining from previous meetings;
- Public comment with respect to items on the agenda (which includes an opportunity for Councillors with a prejudicial interest in any item of business on the agenda to make representations, answer questions and give evidence). A speaking elector must be as brief as possible and is allowed a maximum of 5 minutes to put their case;
- Consider reports from officers;

- Consider planning applications and allied matters. The Chairman and two Councillors may constitute a sub-committee to deal with any urgent matters;
- Deal with financial matters and authorise any payments to be made;
- Receive and consider any communications received since the last meeting;
- Receive business motions from Councillors;
- Public comment to bring to the Council's notice items not on the agenda;
- Other business placed on the agenda;
- Consider any other business. Decisions should not be made on any matters that the Clerk has not been notified of in writing seven days before the meeting.

## 1.6 Role of Chair

The Chair or Councillor presiding over a meeting of a council is required, by common law, to regulate the conduct of a meeting and preserve its order.

The Chair will strike out comments which are irrelevant, repetitious and not addressed to the Chair and check the use of rude or disrespectful language and personal insults. If a Councillor or a member of the public disregards the Chair's request to modify their conduct, the Council can resolve to have the person causing the disturbance to the meeting excluded.

## 1.7 Rules of Debate

Discussion is ordinarily permitted on a motion properly put before the meeting. A matter or item of business for consideration must be expressed as a motion in positive terms and must relate to a matter in which the Parish Council has the statutory power to act or which relates to parish business.

An original motion proposes a substantive issue for consideration and council action. A procedural motion relates to procedure and form.

Any Councillor at any time may move, between speakers, either of the following procedural motions:

- to proceed to the next business;
- to move to the vote;

A point of order is an objection submitted to the Chair which claims some irregularity in the constitution or conduct of the meeting. It relates to the conduct or procedure in the meeting including:

- use of irrelevant or improper language;
- non compliance with standing orders;
- the motion debated is not within the scope of the motion on the agenda.

If a Councillor raises a point of order it should be raised as soon as the reason for it became apparent. The Councillor who was speaking before the point of order was raised must stop speaking and allow the Chair to make a decision. The Chair's decision should be final.

1.7.1 A Councillor should provide the Clerk with written notice (email is appropriate) of an original motion he/she wishes to include on the agenda at least 7 clear days in advance of a meeting.

If the Clerk considers a motion irregular, frivolous or improper, the Chair should be consulted and he/she will decide if it is a valid motion for inclusion. If a motion received is vague or uncertain, the Clerk should return it to the Councillor with an indication of the same.

1.7.2 Councillors should indicate their wish to speak and wait until invited by the Chairman.

- 1.7.3 Councillors should keep to the subject under discussion and be as brief as possible.
- 1.7.4 A Councillor may normally speak only twice in a debate except where the Chair in her/his discretion permits it in the interests of debate.
- 1.7.5 The Chairman may suspend Standing Orders at any time to receive information from the public. A member of the public should indicate his/her wish to speak and wait until invited by the Chairman.
- 1.7.6 On all matters the Chairman's decision is final.

## **1.8 Voting**

- 1.8.1 All questions to be decided by the council shall be decided by a majority of the councillors present and voting.
- 1.8.2 Councillors shall vote by a show of hands.
- 1.8.3 Immediately before a vote is taken any Councillor may request that a vote is recorded. When a request is made the Chair, or other Councillor presiding, shall call the names of all the Councillors and after each name is called the Councillor shall state whether they are voting for or against the question put or abstaining. The record of voting shall be recorded in the minutes.
- 1.8.4 In the case of an equality of votes the Chair has to give a casting vote in addition to their first vote.
- 1.8.5 The outgoing Chair must give a casting vote in the event of there being an equality of votes for the election of the Chair of the council at the Annual Meeting of the Parish Council.  
*In an election year the retiring Chair who is still in office even if unelected, has a casting vote in the election of new Chair in the event that there is a tie, irrespective of whether he/she be elected or not.*

## **1.9 Minutes**

- 1.9.1 The minutes must record the names of Councillors present at the meeting and the existence and nature of any interest declared by Councillors.
- 1.9.2 The minutes are not a verbatim record of debate at a meeting but must accurately reflect the resolutions made and record voting if this is requested by a Councillor at that meeting.
- 1.9.3 The draft minutes of a meeting must be attached to the agenda for the next meeting for approval and signing by the Chair (or person presiding the meeting).
- 1.9.4 There should be no discussion in respect of the draft minutes except that which relates to the motion to agree the accuracy of them.
- 1.9.5 Any corrections shall be made by moving that the minutes are agreed with the corrections stated.
- 1.9.6 Any proposed corrections shall be submitted in the form of an alternative wording for a section or phrase of the draft minutes or as an additional section or phrase. The proposal must be seconded by another Councillor and put to the vote. If a majority agree with the proposal, the draft minutes will be amended accordingly and agreed with the corrections stated.
- 1.9.7 Draft minutes shall be reviewed by the Clerk and the Chair before being published as early as practicable on the Council's web site. Publication shall be completed no later than one month after the meeting which the minutes record.

1.9.8 Where amendment is necessary to secure approval of the draft minutes at the next meeting, duly amended minutes shall be published on the Council's web site as soon as practicable making clear where and how there has been an amendment.

## **1.10 Conduct**

1.10.1 When speaking a Councillor must address the Chair.

1.10.2 Councillors must behave in a way that is conducive to the efficient conduct of business and respect the role of the Chair in the proper management of the conduct of the meeting.

1.10.3 If there is a general disturbance at the meeting involving any person present, making the orderly conduct of business impractical, the Chair may adjourn the meeting for as long as they consider necessary.

1.10.4 No Councillor may inspect premises or issue orders on behalf of the Council unless authorised by the Council.

## **1.11 Financial Procedure**

1.11.1 Where payments need to be made before authorisation by the Council such payments shall be certified as to its correctness and urgency by the Chairman or Vice-Chair and ratified at the next Council meeting.

1.11.2 Except as provided in 1.11.1 all accounts for payment shall be laid before the Council.

1.11.3 Cheques shall be signed and stubs initialled by any two Councillors entitled to do so at a Council meeting.

1.11.4 The Clerk will supply each Councillor with a statement of receipts and expenses at the end of each financial year. *Under normal circumstances a report will be given each quarter.*

1.11.5 The Clerk will keep a record of his expenses to be inspected at Council meetings.

1.11.6 The Clerk may incur an expense of up to £50 on any one item.

1.11.7 The Clerk will provide the District Auditor and Internal Auditor with all information and documents requested.

1.11.8 End of year accounts, annual governance statement and internal audit report shall be published annually on the Council's web site and no later than 1<sup>st</sup> July in the year immediately following the accounting year to which they relate. Where necessary to conform to regulations, draft copies may be published until authorised copies are available.