

CROXDALE AND HETT PARISH COUNCIL

STANDING ORDERS

31 March 2017

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NALC has published Model Standing Orders for Local Councils and Croxdale and Hett Parish Council has adopted those which are statutory requirements or relevant to this Parish Council in addition to those which are specific to this Parish Council. The model standing orders in **bold type** should not be ignored or substantively amended unless the legislation out of which they are born changes.

Time, date and place of meetings

1. Meetings of the Council shall be held at 7.00 p.m. on the second Wednesday in each month, except in August, unless the Council decides otherwise at a previous meeting.
2. **Three clear days notice of a meeting shall be given by sending agendas to Councillors and by posting agendas on the Council's website and notice boards. (When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count).**
3. Meetings usually take place at Croxdale Community Centre.

Quorum

4. **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 3.**
5. **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

Annual Meeting of the Parish Council

6. The statutory annual meeting of the Parish Council shall be held in May. **In an election year, the meeting must be held on or within 14 days following the day on which the councillors newly elected take office.**
7. **The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the Annual Meeting of the Council** followed by receipt of the Chairman's declaration of acceptance of office.
8. **The Chairman of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her successor is elected.**
9. **The Vice-Chairman of the Council, if any, unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the annual meeting.**
10. **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he/she shall preside at the 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 must give a casting vote in the case of an equality of votes.**

11. **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
12. In an election year, after the election of the Chairman and Vice-Chairman, the order of business should be as follows:
 - (a) to receive Councillors' declarations of acceptance of office;
 - (b) to receive apologies for absence and declarations of interest;
 - (c) to arrange to fill any vacancies left unfilled at the election by reason of insufficient nominations by co-option;

Statutory Annual Parish Meeting of Electors

13. The Annual Parish Meeting of Electors shall be held in April in an election year and in May in all other years. If the Chairman of the Parish Council is present, he/she should preside or the Vice-Chairman if the Chairman is not present. Otherwise the meeting shall elect a Chairman. The ordinary minimum notice for an Annual Parish Meeting of Electors is seven days. The quorum for an Annual Parish Meeting of Electors is two, unless a document has to be executed, in which case it is three.

Ordinary Meetings

14. If the Chairman and Vice-Chairman are both absent, the first business shall be to appoint a Chairman.

Admission of the Public and Press to Meetings

15. **Meetings shall be open to the public and press 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.**

Public Participation

16. Subject to para.16 above, members of the public are permitted to make representations, answer questions and give evidence on any item of business included in the agenda during a public participation session which is included on the agenda at each monthly Parish Council meeting. The length of the public participation session should not normally exceed a total of 15 minutes per meeting. Such sessions form part of the Council meeting in law and shall be duly minuted.
17. A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate. However, 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.

Conduct at Meetings

18. Any person speaking at a meeting shall address his comments to the Chairman.
19. Only one person is permitted to speak at a time. If more than one person wishes to speak the Chairman shall direct the order of speaking.
20. **No person may orally report or comment about a meeting as it takes place if he is present at the meeting but otherwise may:**

- a) **film, photograph or make an audio recording of the meeting;**
 - b) **use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;**
 - c) **report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.**
21. **In accordance with standing order 16 above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
22. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).**
23. **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, 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.**

Disorderly Conduct

24. **No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.**
- a **If, in the opinion of the Chairman, there has been a breach of standing order 24 above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.**
 - b **If a resolution made in accordance with standing order 24a above is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.**

Voting

25. **Subject to standing order 24 above, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
26. **The Chairman 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.**
27. **Unless standing orders provide otherwise, voting on any 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 his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**

Minutes

28. **The minutes of a meeting shall record the names of councillors present and absent.**

29. **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.**
30. If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
31. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes can be raised without notice.
32. Minutes, including any amendment to correct their accuracy, 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.
33. Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.
34. **All councillors shall observe the Code of Conduct adopted by the Council.**
35. **The Code of Conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**

Declarations of Interest

36. If a member has a personal and prejudicial interest as defined by the Code of Conduct adopted by the Council, he or she shall declare such an interest either at the beginning of the meeting or as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
37. **If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, Councillors may exercise the rights contained in standing order 38 below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.**
38. **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.**

Order of Business

39. At an ordinary meeting, the order of business is as follows:
 - (a) apologies
 - (b) declarations of interest
 - (c) Policing
 - (d) public participation
 - (e) approve minutes of last meeting
 - (f) Matters Arising
 - (g) Parish Clerk Update / Correspondence
 - (h) Financial Matters
 - (i) planning matters

- (j) County Councillors' reports, if present
- (k) reports of representatives on outside committees, etc.
- (l) other reports
- (m) date of next meeting

Motions requiring written notice

40. Except as provided by Standing Orders, no resolution may be moved unless the business 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 seven clear working days before the appropriate meeting of the Council.

Motions not requiring written notice

41. Motions in respect of the following matters may be moved without written notice.

- (a) To appoint a person to preside at a meeting.
- (b) To approve the absences of councillors.
- (c) To approve the accuracy of the minutes of the previous meeting.
- (d) To correct an inaccuracy in the minutes of the previous meeting.
- (e) To dispose of business, if any, remaining from the last meeting.
- (f) To alter the order of business on the agenda for reasons of urgency or expedience.
- (g) To proceed to the next business on the agenda.
- (h) To close or adjourn debate.
- (i) To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- (j) To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
- (k) To receive nominations to a committee or sub-committee.
- (l) To dissolve a committee or sub-committee.
- (m) To note the minutes of a meeting of a committee or sub-committee.
- (n) To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- (o) To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- (p) To authorise legal deeds to be signed by two councillors and witnessed.
- (q) To authorise the payment of monies.
- (r) To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- (s) To extend the time limit for speeches.
- (t) To exclude the press and public for all or part of a meeting.
- (u) To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- (v) To give the consent of the Council if such consent is required by standing orders.
- (w) To suspend any standing order except those which are mandatory by law.**
- (x) To adjourn the meeting.
- (y) To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- (z) To answer questions from councillors.

42. If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct

for it to be dealt with at the present meeting for reasons of urgency or expedience.

Rules of Debate

43. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
44. Subject to standing orders 41 and 42 above, a motion shall not be considered unless it has been proposed and seconded.
45. A motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
46. A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
47. A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
48. Any amendment to a motion shall be either:
 - a. to leave out words;
 - b. to add words;
 - c. to leave out words and add other words.
49. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
50. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
51. Subject to Standing Order 50 above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
52. Pursuant to standing order 51 above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
53. If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
54. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
55. The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding three minutes.
56. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very

end of debate and immediately before it is put to the vote.

57. Subject to standing orders 55 and 56 above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
58. During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
59. A point of order shall be decided by the Chairman and his decision shall be final.
60. With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
61. Subject to standing order 58 above, when a councillor's motion is under debate no other motion shall be moved except:
 - a. to amend the motion;
 - b. to proceed to the next business;
 - c. to adjourn the debate;
 - d. to put the motion to a vote;
 - e. to ask a person to be silent or for him to leave the meeting;
 - f. to refer a motion to a committee or sub-committee for consideration;
 - g. to exclude the public and press;
 - h. to adjourn the meeting;
 - i. to suspend any standing order, except those which are mandatory.
62. In respect of standing order 61d above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

Rescission of Previous Resolutions

63. A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least three councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
64. When a special motion or any other motion moved pursuant to standing order 65 above has been disposed of, no similar motion may be moved within a further 6 months.

Questions

65. A councillor may seek an answer to a question concerning any business of the Council provided seven clear days notice of the question has been given to the Proper Officer.
66. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
67. Every question shall be put and answered without discussion.

Voting on Appointments

68. Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

Expenditure

69. Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
70. **The Council's financial regulations shall be reviewed once a year.**
71. **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

Execution and Sealing of Legal Deeds

72. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
73. **In accordance with a resolution made under standing order 74 above, 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.**

Committees

74. The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
- a. shall determine their terms of reference;
 - b. may permit committees to determine the dates of their meetings;
 - c. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - d. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 7 days before the meeting that they are unable to attend;
 - e. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 76d above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
 - f. may in accordance with standing orders, dissolve a committee at any time.

Sub-Committees

75. Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

Extraordinary Meetings

76. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
77. **If the Chairman of the Council does not or refuses to call an extraordinary**

meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.

78. The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
79. If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by two councillors, those two councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by two councillors.

Advisory Committees

80. The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
81. Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

Adopted by the Parish Council on 08 March 2017.