

ERMINGTON PARISH COUNCIL

STANDING ORDERS

Meetings of the Council will be held in the Reading Rooms, Ermington on the 1st Tuesday of every month (excluding August) unless otherwise notified. Meetings will commence at 7.30 p.m.

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1. RULES OF DEBATE AT MEETINGS

- a Items on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
- b The Chair will be responsible for the control of the meeting to ensure all councillors are able to express their views without any councillor dominating the debate.

2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard.

If the disruption continues, then the Chair or any Councillor may request that the person/s be removed from the meeting. The matter shall be put to the vote by the Council, and if passed by a majority the meeting ceases until the disruptive person/s leaves the Reading Room.

The Chair may suspend a meeting for a period of time in order to bring a meeting to order.

3. MEETINGS GENERALLY

Full Council meetings ●
Committee 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 **A minimum of three clear day's public notice of a meeting shall be given. This does not include the day on which notice is 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 **The minimum three clear days public notice for a meeting does not include the day on which the notice was issued or the day of the meeting.**
- d **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 with agreement of council members.**
- e A period of time shall be designated to enable members of the public to ask questions of the Parish Council and other representatives invited for the purpose, or comment on any matter. The period of time shall not exceed 15 minutes unless directed by the Chair of the meeting.
- f Members of the public may at the invitation of the Chair make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of other business on the agenda.

- g A person shall raise his hand when requesting to speak (except when a person has a disability or is likely to suffer discomfort).
 - h A person who speaks at a meeting shall direct his comments to the Chair of the meeting.
 - i Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
 - j **A person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public in accordance with the Parish Council's protocol on filming and recording of parish council meetings.**
 - k **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
 - l **Subject to a meeting being quorate, all decisions will be valid if decided by a majority of the councillors.**
 - m **The Chair of the meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise a casting vote whether or not the Chair gave an original vote.**
- See standing orders 5(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.*
- n **Voting on any matter put to the vote shall be by a show of hands. At the request of a councillor, the voting on any such matter shall be recorded so as to show whether each councillor present and voting gave his vote for or against that matter.** Such a request shall be made before moving on to the next item of business on the agenda.
 - o The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of councillors who were present and the names of councillors who were absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors with voting rights;
 - v. whether a councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the decisions made.

- p A councillor who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
- q 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.
- r If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. If there is insufficient time for all the business to be transacted the outstanding items on the agenda shall be adjourned to another meeting.

4. COMMITTEES

- a The Council may appoint standing committees or other committees/working groups/task forces as may be necessary, and:
 - i. shall determine their terms of reference, membership and accountability and such other conditions deemed applicable by the council.
 - ii. may dissolve committees/working groups/task forces

5. ORDINARY COUNCIL 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 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.
- d 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.
- e 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.
- f The Vice-Chair of the Council, 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.
- g 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.

- h **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chair of the Council has been elected. He may exercise an original vote in respect of the election of the new Chair of the Council and 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 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 his acceptance and recorded in the minutes:**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - iv. Review of representation on or work with external bodies and arrangements for reporting back;
 - v. Review of inventory of land and other assets including buildings and office equipment;
 - vi. Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - vii. Review of the Council's and/or staff subscriptions to other bodies;
 - viii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation

6. EXTRAORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time, giving three clear days for notice of the meeting which 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.**
- b The Chair of a committee may convene an extraordinary meeting of a committee at any time.
- c **Emergency Business - Should it not be appropriate to convene a special meeting, then any emergency business will be handled by the Clerk, in consultation with the Chair. Actions will be reported promptly to Parish Councillors and recorded in the next Parish Council Meeting Minutes.**

7. MANAGEMENT OF INFORMATION

- a **The Council shall manage its information in accordance with its published General Data Protection Policy and statutory requirements.**
- b **The Council shall not disclose confidential or sensitive information to the public.**
- c **Councillors and staff shall not disclose confidential or sensitive information to the public.**

8. DRAFT 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.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by the majority of councillors 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 his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

9. CODE OF CONDUCT AND DISPENSATIONS

- a All councillors shall observe the code of conduct adopted by the Council.
- b **Dispensation requests arising from compliance with Section 8 of the Council’s code of conduct shall be made in writing and sent to the Monitoring Officer of the District Council** as soon as possible before the meeting for which the dispensation is required,

10. CODE OF CONDUCT COMPLAINTS

- a Upon notification by the District that it is dealing with a complaint that a councillor has breached the Council’s code of conduct, the Proper Officer shall report this to the Council.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take.
- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District 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:
- **at least three clear days before a meeting of the council 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**
- i. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office;**
 - ii. **facilitate inspection of the minute book by local government electors;**
 - iii. **receive and retain copies of byelaws made by other local authorities;**
 - iv. hold acceptance of office forms from councillors;
 - v. hold a copy of every councillor's register of interests;
 - vi. 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;
 - vii. receive and send general correspondence and notices on behalf of the Council except where there is a council decision to the contrary;
 - viii. 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);
 - ix. arrange for legal deeds to be executed;
 - x. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
 - xi. refer a planning application received by the Council to the Chair or in his absence the Vice-Chair of the Council to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
 - xii. Arrange regular monthly finance payments (wages, utility bills etc.) required between meetings and in months meetings are not held, in consultation with the Chair.

Manage any urgent business including repairs required to the Reading Rooms and any urgent Planning decisions in consultation with the Chair, to be decided on the basis of a consensus of Parish Councillors email responses and reported at the next meeting.

FINANCIAL MANAGEMENT

Financial management of the Council shall be in accordance with its financial regulations.

12. RESPONSIBILITIES TO PROVIDE INFORMATION

The council will respond to all requests for information held by the council in accordance with Freedom of Information Legislation.

13. RELATIONS WITH THE PRESS/MEDIA

- a Requests from the press or other media for an oral or written comment or statement from the Council will be dealt with by the Chair in consultation with council members if appropriate.

14. EXECUTION OF LEGAL DEEDS

- a. A legal deed shall not be executed on behalf of the Council unless authorised by the Council.
- b. Subject to 15a. above any two councillors may sign, on behalf of the Council, any legal deed and the Proper Officer shall witness their signature.**

15. COMMUNICATING WITH DISTRICT AND COUNTY

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

16. 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.

17. STANDING ORDERS GENERALLY

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible after delivery of the councillor's acceptance of office form.
- b The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.
- c The Council shall review these Standing Orders from time to time.

Date adopted: 6 July 2021

Ermington Parish Council Minute Reference = 056/2021

Reviewed annually in July