



## GREAT ALNE PARISH COUNCIL

### STANDING ORDERS

#### 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 Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e The period of time which is designated for public participation in accordance with standing order 1(d) above] shall be at the Chairman's discretion but shall not normally exceed 30 minutes.
- f Subject to standing order 1(e) above, a member of the public shall not speak for more than 5 minutes. In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not necessarily elicit a response or debate. However, the Chairman may direct that the question be referred to a Councillor for an oral response or to the Clerk for a written or oral response.
- g A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- h A person shall raise his hand when requesting to speak, and 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.
- i Any person speaking at a meeting shall address his comments to the Chairman.
- j Members of the public are permitted to film or record meetings to which they are permitted access in a non-disruptive manner. Any recording shall be done in strict accordance with Great Alne Parish Council's Protocol on the Recording and Filming of Council and Committee Meetings <https://www.greatalne-pc.gov.uk/doc/170345/name/GAPC%20Filming-%20Recording%20Protocol%20March%202015.pdf>
- k **In accordance with standing order 1(c) 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.**
- l **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.**

- m **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.**
- n **Subject to model standing order 1 (u) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- o **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. (See also standing orders 2 (g) and (h) below.)**
- p **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.
- q 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 present and absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - v. if there was a public participation session; and
  - vi. the resolutions made
- r **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**
- s **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 order 6 below.)**
- t **No business may be transacted at a meeting unless at least 3 members of the Council are present: in no case shall the quorum of a meeting be less than 3.**
- u **If a meeting is or becomes inquorate no business can be transacted** and the meeting shall be closed. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.
- v Meetings shall not normally exceed a period of 3 hours.

## 2 Ordinary Council meetings

*See also standing order 1 above*

- 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 new councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**

- c In addition to the annual meeting of the Council, ordinary meetings shall be held bi-monthly.**
- d The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.**
- e The Chairman 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-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- g In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he 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.**
- h 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.**
- i Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the business shall include:**
  - i. Review and adoption of appropriate standing orders and financial regulations.**
  - ii. Review of inventory of land and assets including buildings and office equipment.**
  - iii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.**
  - iv. Establishing or reviewing the Council's complaints procedure.**
  - v. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the General Data Protection Regulations (May 2018)**
  - vi. Establishing or reviewing the Council's policy for dealing with the press/media**
  - vii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.**

### **3 Proper Officer**

- a The Council's Proper Officer shall be the Clerk.**
- b The Council's Proper Officer shall do the following.**

- i. **Sign and serve on councillors by delivery or post or electronically a summons confirming the time, date, venue and the agenda of a meeting of the Council and any sub-committee at least 3 clear days before the meeting.**
- ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or any sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
- iii. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 3(b)i above.**
- iv. Make available for inspection the minutes of meetings.
- v. **Receive and retain copies of byelaws made by other local authorities.**
- vi. Receive and retain declarations of acceptance of office from councillors.
- vii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- viii. Keep proper records required before and after meetings.
- ix. Process all requests made under the Freedom of Information Act 2000 and General Data Protection Regulations (May 2018), in accordance with and subject to the Council's procedures relating to the same.
- x. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xi. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xii. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xiii. Record every planning application notified to the Council and the Council's response to the local planning authority.
- xiv. Refer a planning application received by the Council to all members of the Council within 2 working days of receipt.
- xv. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

#### **4 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.

#### **5 Code of conduct**

- a. **All councillors shall observe the code of conduct adopted by the Council**

- b The Council has adopted a Code of Conduct under the Localism Act 2011 and will review it annually. It expects all councillors to abide by the code and maintain high standards of behaviour.**
- c Unless he has 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. He may return to the meeting after it has considered the matter in which he had the interest.
- d 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.**

## **6 Minutes**

- a Draft Minutes will be published on the parish council website within one month of the meeting taking place. Draft Minutes will be clearly marked as 'Draft' and are subject to amendment by the Clerk until approved at the following Parish Council meeting.
- b If, however, 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.
- c 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 shall be raised in accordance with standing orders.
- d 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.
- e If the Chairman 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 Chairman of this meeting does not believe that the minutes of the meeting of the Council held on [date] in respect of ( ) were a correct record but his view was not upheld by the majority of the Council and the minutes are confirmed as an accurate record of the proceedings."
- f 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.

## **7 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 chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If, in the opinion of the Chairman, there has been a breach of standing order 7(a) 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.

- c If a resolution made in accordance with standing order 7(b) 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.

## **8 Rescission of previous resolutions**

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except by a special motion, the written notice whereof bears the names of at least 2 councillors of the Council.
- b When a special motion or any other motion moved pursuant to standing order 8(a) above has been disposed of, no similar motion may be moved within a further 6 months.

## **9 Voting on appointments**

- a 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.

## **10 Expenditure**

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b The Council's financial regulations shall be reviewed once a year.**
- c 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 the Clerk.**

## **11 Execution and sealing of legal deeds**

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b In accordance with a resolution made under standing order 11(a) 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.**

## **12 Committees**

*See also standing order 1 above*

- a 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:
  - i. shall determine their terms of reference;
  - ii. may permit committees to determine the dates of their meetings;

- iii. 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;
- iv. may, in accordance with standing orders, dissolve a committee at any time.

### **13 Extraordinary meetings**

*See also standing order 1 above*

- a The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b 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.**

### **14 Advisory committees**

*See also standing order 1 above*

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

### **15 Accounts and Financial Statement**

- a “Proper practices” in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide (England).
- b All payments by the Council shall be authorised, approved and paid in accordance with the Council’s financial regulations, which shall be reviewed at least annually.
- c The Responsible Financial Officer shall supply to each councillor for each Council meeting a statement summarising the Council’s receipts and payments and balances held for the year to date. This statement should include a comparison with the budget for the financial year.
- d The year-end accounting statements shall be prepared in accordance with proper practices and applying 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 return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which may be subject to external audit\*, including the annual governance statement, shall be presented to council for consideration and formal approval in accordance with prescribed timescales.

### **16 Estimates/precepts**

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

\* The Parish Council may require external audit where the income/expenditure is over £25,000 otherwise it will be exempt and must continue to comply with the Transparency Code

## **17 Canvassing of and recommendations by councillors**

- a Canvassing councillors or the members of a committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **18 Inspection of documents**

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

## **19 Unauthorised activities**

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
  - 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 Confidential business**

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 20(a) above may be removed from a committee by a resolution of the Council.



## **21 Planning Applications**

*See also standing order 3(b) xiii and xiv above*

- a The power to respond to planning applications has been formally delegated to the Clerk.
- b When the Clerk receives notice of a planning application this will be forwarded to councillors within 2 working days of receipt, for response by a date 3 days ahead of the Stratford upon Avon District Council deadline.
- c The Chairman will be notified of any lack of response from councillors.
- d The Clerk will formulate a response based on comments from councillors.
- e All decisions made by the Parish Council in response to planning application consultations will be recorded in Minutes of the meeting.
- f When a development is in progress within the parish, the Parish Council will review all Section 106 Agreements.

## **22 Matters affecting council employees**

- a If a meeting considers any matter personal to the Clerk, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b The Clerk shall notify the Chairman, or in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Council at its next meeting.
- c The Chairman or in his absence, the Vice-Chairman shall conduct an annual review or appraisal of the Clerk's performance and shall keep a written record of it. The review or appraisal shall be reported back and shall be subject to approval by resolution of the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Clerk shall contact the Chairman or in his absence, the Vice-Chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Clerk relates to the Chairman or Vice-Chairman of the Council, this shall be communicated to another member of the Council which shall be reported back and progressed by resolution of the Council.
- f Any persons responsible for all or part of the management of the Clerk shall keep written records of all meetings relating to their performance, capabilities, grievance and disciplinary matters as confidential and secure.
- g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 22(g) and (h) above if so justified.
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 22(g) and (h) above shall be provided only to the Chairman of the Council.

### **23 Liaison 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 councillor of the District and County representing its electoral ward.
- b Unless the Council otherwise orders, a copy of each letter sent to the District or County Council shall be sent to the District or County councillor representing its electoral ward.

### **24 Allegations of breaches of the code of conduct**

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Council Chairman.
- b References to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

### **25 Variation, revocation and suspension of standing orders**

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to add to or vary or revoke one or more of the Council's standing orders not mandatory by law shall be proposed by a special motion, the written notice whereof bears the name of at least 3 councillors.

### **26 Standing orders to be given to councillors**

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b The Chairman's decision as to the application of standing orders at meetings shall be final.
- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

Reviewed by Full Council May 2024

Date – 21 May 2024