
Beer Parish Council



*World
Heritag
e Coast
at Beer*

STANDING ORDERS

<u>INDEX</u>	Meetings of the Council	page : 4
	Summons to Meeting	<i>Requirements</i> 4
	Summons to Meeting	<i>Contingency</i> 4
	Chairman of The Parish Council Meeting	5
	Proper Officer/RFO	5
	Quorum	5
	Voting	5
	Voting on Appointments	5
	Order of Business	5
	Motions Moved on Notice	7
	Rescission of previous resolutions	7
	Motions Moved Without Notice	8
	Draft Minutes	9
	Discussions & Resolutions Affecting Employees of The Council	9
	General Disturbance	9
	Disturbance by Members of The Public	9
	Committees & Sub-Committees	9
	Composition of Committees	9
	Advisory Groups	10
	Finance – Authorisation of Expenditure	10
	Payment of Accounts	10
	Financial Statement	11
	Budget Estimates	11
	Interest of Members in Contracts or Other Matters	11
	Inspection of Documents	12
	Admission of Public & Press to Meetings	12
	Confidential Business	13
	Distribution of Standing Orders	13
	Liaison with District & County Councillors	13
	Amendment of Standing Orders	13

Interpretation Of Standing Orders	13
Attendance At Council Meetings	13
Smoking At Meetings	14
Correspondence	14
Communications	<i>In-house, newsletter, bulletins etc</i> 14
Standing Orders	<i>Review</i> 14

MEETINGS OF THE COUNCIL

1. Ordinary meetings of the Council will normally be held on the 1st Tuesday of each month in the Mariners' Hall at 7.00pm, except in August, when no meeting is scheduled and in January and July, when the meeting is normally held on the 2nd Tuesday. A schedule of the year's meetings will be produced by the Clerk each April. Minutes of all full Council meetings shall be recorded by the Clerk. In the event of the Clerk being unable so to do another person must be appointed for the task.
2. The statutory Annual Meeting shall be held on the first Tuesday in May except in an election year when it must take place within 14 days of the date on which Councillors take office.
3. The Chairman of the Council may at any time summon an extraordinary meeting of the Council providing that the summons to such a meeting complies with the relevant statutory provisions.
4. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by three councillors, any three councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the three councillors who convene the meeting.

NOTE:- *The Annual Parish Meeting is a public meeting required by statute to be held in the period between 1 March & 1 June [inc.] each year, at which any elector for the Parish may speak at any time at the discretion of the Chairman, on matters arising or on matters of direct concern within the Parish. (ie. it is NOT a Parish Council Meeting).*

5. Summons to Meeting

(a) A summons to attend each Parish Council meeting will be sent by the Clerk to the Council, to the usual address of each Member to arrive at least three clear working days before the date of the meeting (to exclude the day on which the notice was issued, the day of the meeting and a Sunday or Public Holiday). This will usually be in the form of an e-mail. An agenda and relevant supporting documents shall accompany such summons. Similar public notice shall also be given of each meeting. This will be in the form of a printed notice displayed in the Parish Council Notice board

(b) A meeting which proceeds without the proper summons & accompaniments is not legally empowered to carry out the full range of functions, including decision making. It may also be subject to challenge later. Given this possibility, it is incumbent upon the Clerk and the Council to ensure that all reasonable steps are taken to ensure the legality of its meetings. More specifically, to require the Clerk to inform the Chairman, or other Councillor in order to devise an urgent contingency plan to deal with any such problem as it arises

CHAIRMAN OF PARISH COUNCIL MEETING

6. The Chairman of the Council shall preside at Council Meetings. If the Chairman is absent the Vice-Chairman shall preside. If both are absent the meeting shall appoint a Chairman as its first item of business.

PROPER OFFICER/RESPONSIBLE FINANCE OFFICER

7. The Clerk is the proper officer/responsible finance officer for any purpose in respect of which a proper officer or responsible finance officer is mentioned in any statute, regulation or order.

QUORUM

8. 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.
9. If a quorum is not present when the Council meets or if the number of Members present falls below the quorum, (and it proves impracticable to summon additional Members to attend), the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may arrange.

VOTING

10. (a) Members shall vote by a show of hands.
(b) In the case of an equality of votes the person presiding at the meeting shall have a second or casting vote.

VOTING ON APPOINTMENTS

11. Whenever two or more persons are nominated for any position to be filled by the Council a ballot shall be held at which all votes shall be given in writing. If the result of the ballot is that there is not an overall majority of votes in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh ballot taken, and so on until an absolute majority of votes is given in favour of one person.

ORDER OF BUSINESS –

(In an election year Councillors shall execute Declarations of Acceptance of Office)

12. At the Annual Meeting of the Parish Council the first business shall be:-
 - (a) To elect a Chairman of the Parish Council who shall hold office until the next Annual Meeting. (Retiring Chairman presiding.)
 - (b) To receive the Chairman's Declaration of Acceptance of Office.

- (c) To elect a Vice-Chairman. (New Chairman presiding.)
 - (d) To record Members present.
 - (e) To record apologies from Members unable to be present.
 - (f) To record disclosures of Members interests in respect of relevant items of business on the agenda.
 - (g) To appoint the Finance & General Purposes Committee, the Planning Committee and any other Standing Committees. To appoint the Chairman to the Committees.
 - (h) To agree areas of responsibility (Portfolios) and assign them, where possible, on a voluntary basis.
 - (i) To agree and appoint Representatives and Nominees to local bodies. (The previous list is held by the Clerk)
 - (j) To receive a statement of the Parish Council's accounts for the year ending the previous 31st March.
 - (k) To consider the renewal of any annual subscriptions.
 - (l) To review the Council's Complaints Procedure.
 - (m) To review the Council's Publication Scheme and procedures for requests made under the Freedom of Information Act 2000.
 - (n) To approve a calendar of meetings until the next Annual Meeting.
13. At every Council meeting other than the Annual Meeting the first business shall be the appointment of a Chairman to preside at the meeting if, and for as long as, the Chairman and Vice Chairman of the Council are not present.
14. After the first business has been completed the Council shall receive such Declaration of Office (if any) as are required by law to be made and thereafter the order of business, unless the Council decides otherwise on the grounds of urgency shall be as follows:-
- (a) To record Members present.
 - (b) To record apologies from Members unable to be present.
 - (c) To record disclosures of Members interests in respect of relevant items of business on the agenda.
 - (d) Public Participation session.

- (e) To consider the Minutes: provided that a copy has been circulated to each Member not later than the day of issue of the summons to attend the meeting the Minutes may be taken as read.
- (f) After consideration to approve the signature of the Minutes by the presiding Chairman as a correct record.
- (g) To dispose of business, if any, remaining from the last meeting.
- (h) To authorise the signing of the Schedule of Payments.
- (i) Any business specified in the summons.
- (j) To receive and consider reports and/or minutes of Committees, Representatives and Portfolio Holders.
- (k) To receive and consider any communications the Chairman or Clerk may wish to lay before the Council.
- (l) To confirm the date and venue of the next meeting.

NOTE:- *The summons, including the agenda MUST specify the business to be transacted. A Council cannot legally decide anything under the general heading of "Any Other Business" because these words do not specify anything)*

15. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting.

MOTIONS MOVED ON NOTICE

16. Except as provided by these Standing Orders, no motion may be moved without giving the Clerk notice not later than seven clear days before the next meeting of the Council.
17. Every motion shall be relevant to a matter over which the Council has power or which affects the inhabitants of the administrative area of the Council.

RESCISSION OF PREVIOUS RESOLUTIONS

- 18 (a) 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 6 Councillors, or by a motion moved in pursuance of the report or recommendation of a committee.
- (b) When a special motion or any other motion moved pursuant to standing order 18(a) above has been disposed of, no similar motion may be moved within a further 6 months.

MOTIONS MOVED WITHOUT NOTICE

19. Motions dealing with the following matters may be moved WITHOUT notice:-

- (a) To appoint a Chairman of the meeting.
- (b) To approve the absences of Councillors.
- (c) To correct the Minutes.
- (d) To approve the Minutes.
- (e) To alter the order of business.
- (f) To proceed to the next business.
- (g) To close or adjourn the debate.
- (h) To refer a matter to a Committee.
- (i) To adopt a report.
- (j) To appoint a Committee or any Members thereof.
- (k) To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- (l) To give leave to withdraw a motion or an amendment.
- (m) To suspend Standing Orders except those which are mandatory by law.
- (n) To exclude the Public (including the press).
- (o) To silence or eject from the meeting a Member named for misconduct.
- (p) To confirm the date of the next meeting.
- (q) To adjourn a meeting.
- (r) To record votes taken on a decision.
- (s) That the question be put.

DRAFT MINUTES

20. No discussion shall take place on the minutes except upon their accuracy. Corrections to the minutes shall be made by resolution and must be initialled by the presiding Chairman.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

21. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded.

GENERAL DISTURBANCE

22. In the event of a general disturbance which, in the opinion of the Chairman, renders the due and orderly dispatch of business impossible, the Chairman, in addition to any other power invested in him, may, without question put, adjourn the meeting of the Council for such period or to such place as he/she at his/her discretion shall consider expedient.

DISTURBANCE BY MEMBERS OF THE PUBLIC

23. If a Member of the public interrupts the proceedings at any meeting, the Chairman shall warn them. If they continue the interruption the Chairman shall order their removal from the meeting. In the case of a general disturbance the Chairman shall order the removal of the relevant part of the chamber.

COMMITTEES AND SUB-COMMITTEES

25. Each Committee may appoint sub-committees, working parties, or advisory groups for purposes specified by the Committee. Any so appointed shall report back to its parent Committee. The Chairman of the parent Committee shall be an ex-officio Member. All Committees will have agreed Terms of Reference.
26. The Council may not appoint any Member of a Committee so as to hold office later than the next Annual Meeting.
27. The Council may at any time, by resolution, set up, dissolve, or alter the membership of any Committee.

COMPOSITION OF COMMITTEES

28. The Chairman of the Council and the Vice Chairman of the Council shall be entitled, without notice, to attend and speak (but not vote), at any meeting of a committee, sub-committee, panel, or working party, but nothing in this standing order shall prevent the Chairman or Vice Chairman from being a Member of any committee, sub-committee, panel or working party with full voting rights if appointed by name.

29. Committees shall be empowered to co-opt any Council Member or other person (in a non-voting capacity), as the situation demands.
30. A Council Member NOT a Member of a Committee and the Clerk may attend the proceedings of that Committee and may, with the presiding Chairman's consent, contribute to the proceedings but not vote.
31. The appointed Chairman of a committee shall hold office until the next Annual Meeting of the Council. It is that Chairman's responsibility to ensure that proper notice (*in line with requirements for full Council Meetings*) of Committee Meetings is given, that such meetings are duly minuted, and the minutes reported back to full Council.
33. The Chairman of the Council or the Chairman of a Committee may summon a special meeting of that Committee at any time. A special meeting may also be summoned on the requisition in writing, of not less than a quorum of Members of the Committee. The summons shall set out the business to be considered at a special meeting and no other business shall be transacted at such a meeting.
34. A quorum of each Committee shall be one third of the Members of the Committee or three, whichever is the highest.

ADVISORY GROUPS

35. The Council shall be empowered to set up an Advisory Group to report and make recommendations on any specific matter referred to it. An Advisory Group may consist partly of persons who are not Members of the Council. A quorum of an Advisory Group shall be half its appointed Members. (All Members of an Advisory Group have voting rights within that group.)

FINANCE – AUTHORISATION OF EXPENDITURE

(see also copy Financial Regulations held by Clerk which shall be reviewed at least annually)

36. 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. The approved Committees of the Council may recommend, to the Council, expenditure from within their own approved revenue budget subject to the requirements of the Financial Regulations regarding tenders.
37. The Clerk/RFO is authorised to approve expenditure in respect of wages and salaries in consultation with the Chairman of the Parish Council.

PAYMENT OF ACCOUNTS

38. The Clerk/RFO shall submit a schedule of payments for approval at each Parish Council Meeting. Payments from the current bank account in accordance with the schedule of payments, shall be signed (authorised) by one Councillor and the Clerk.

FINANCIAL STATEMENT

39. The Clerk/RFO in liaison with the Chairman of the Finance and General Purposes Committee shall arrange to supply each Member of the Council, not less than one week before the Annual Meeting with a statement of the Council's income and expenditure for the year then ended. Such statement shall then be tabled at the Annual Meeting of the Council.

BUDGET ESTIMATES

40. The Council shall approve written estimates for the coming financial year before its January meeting.

Each Committee/Portfolio Holder wishing to incur significant expenditure in the coming financial year, to be defrayed out of the precept, shall prepare appropriate proposals for submission to the F&GP Committee for consideration at its December Precept meeting. The F&GP Committee will then recommend the amount of the precept for consideration by the Council on or before its January meeting.

INTERESTS OF MEMBERS IN CONTRACTS OR OTHER MATTERS

41. The Code of Conduct which was adopted by the Council on 2/10/2012 shall apply to Members of the Council in respect of the entire meeting.
42. An interest is disclosable if it is that of a Member; his or her spouse or civil partner; or a person living with a Member as a spouse or civil partner.

A Member who has a disclosable pecuniary or other interest in any matter must normally declare at a meeting of the Council, a committee, subcommittee or joint committee that he or she has such an interest. This applies both to registered and unregistered interests. In the latter case, the unregistered interest must be registered within 28 days of the disclosure. However; if the interest is sensitive, only the fact that the Member has an interest, and not its nature, has to be declared. A sensitive interest is one where the Member and the monitoring officer consider that disclosure of details of the interest could lead to the Member; or a person connected to the Member; being subject to violence or intimidation.

When an interest has been declared, the Member must not take any part, or further part, in discussion or voting on the matter in question. The Chairman may exclude the said Member from a meeting while a matter in which he or she has declared an interest is being discussed or voted upon.

The Clerk may, on receipt of a dispensation request form, grant a dispensation from either or both of the restrictions on participation and voting in relation to a disclosed interest. A universal dispensation to cover all Councillors may be granted by resolution at a meeting or an individual dispensation may be granted following receipt of a dispensation request form. The dispensation request form must be received a minimum of 3 days in advance of a Parish Council meeting. Before granting a dispensation the Clerk must have regard to all relevant circumstances, including:

- (i) whether or not the business of the authority would be impeded because of the number of Members who have disclosed interests. For example, if all those Members with disclosed interests could neither speak nor vote the Council or committee, etc, might be inquorate;
- (ii) whether or not granting the dispensation would be in the interests of people living in the area;
- (iii) whether or not it would otherwise be appropriate to grant a dispensation. It is an offence, without reasonable excuse, to break any of the foregoing rules and to give false or misleading information regarding a disclosable interest.

- 43. Involvement in the affairs of another public body or voluntary association etc, by a Member who has been appointed as a representative of the Council shall not, in the absence of any other relevant considerations, be construed as a relevant and substantial interest. In that situation the Member should disclose the interest, but may remain and participate fully in the meeting.
- 44. Registrations of interests shall be available to view on Beer Parish Council website

INSPECTION OF DOCUMENTS

- 45. A Member may, for the purpose of his/her duty (but NOT otherwise) inspect any document which has been considered by a Committee or by the Council and which is not available for public inspection.
- 46. All non-confidential elements of minutes and reports kept by the Council or by any of its Committees shall be open for inspection by any elector of the Parish at any reasonable time.

ADMISSION OF PUBLIC AND PRESS TO MEETINGS

- 47. Pursuant to the Public Bodies (Admission to Meetings) Act 1960, members of the public are invited to attend any meeting in order to address the Council. Up to 15 minutes, following agenda formalities, will be offered to members of the public present to do this on any issue within the remit of the Council, at the direction of the Chairman. Such sessions form part of the Council meeting in law and shall be duly minuted. Any extension of this facility will be at the discretion of the Chairman. Whilst the public (including the press) shall be admitted to all meetings of the Council and its Committees they may be temporarily excluded if 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.
- 48. The 'PRESS' shall be afforded reasonable facilities for taking their report of any proceedings of the Council and of the Committees at which they are entitled to be present and on request shall be provided with copies of the summons, agenda, minutes and reports insofar as it is reasonable to do so. The right is reserved by the Council to charge for such documents.
- 49. In accordance with The Openness of Local Government Bodies Regulations 2014, any person attending a Council meeting, including the press, may report on the proceedings of the meeting (unless the meeting has resolved to exclude the press and public). Reporting may include filming,

photographing or making a written or audio recording of proceedings at a meeting, to include the use of social media. This does not include an oral commentary during the meeting. There is an expectation that any reporting will focus on the proceedings of the meeting and those who participate in it rather than those who are simply attending.

CONFIDENTIAL BUSINESS

50. No Member of the Council or any Co-opted Member shall disclose to any person NOT a Member of the Council, any Council business declared to be 'confidential'. The only statement available to the public is that written in the minutes.

DISTRIBUTION OF STANDING ORDERS

51. A copy of these Standing Orders shall be given to each Member on delivery of a Member's Declaration of Acceptance of Office. A copy shall be shown to any person, other than a Member, nominated or co-opted to a Committee, Advisory Group or other similar appointment.
52. A copy of these Standing Orders may be given gratis to a recognised representative of each 'Press' organisation, which regularly reports the proceedings of the Council. The right is reserved by the Council to charge for such documents.

LIAISON WITH DISTRICT & COUNTY COUNCILLORS

53. A notice of each meeting of the Council shall be sent (usually a copy of the summons and agenda plus supporting papers), as an invitation to attend, to County and District Councillors for the Parish area that are not Members of the Council.

STANDING ORDERS

54. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
55. A motion to permanently add, vary, or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

INTERPRETATION OF STANDING ORDERS

56. The ruling of the presiding Chairman as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council or its Committees shall be accepted without further discussion during a meeting.

ATTENDANCE AT COUNCIL MEETINGS

57. Any Member who fails to attend meetings of the Council or of a Committee of which he/she is a Member, for six consecutive months shall be deemed to have resigned from the Council or

Committee unless leave of absence has been granted by the Council or Committee before the expiration of the six month period referred to above.

SMOKING AT MEETINGS

58. Smoking shall not be permitted during meetings of the Council.

CORRESPONDENCE

59. All correspondence must comply with the Council's resolutions and/or policies. If it has not been written by the Clerk a copy must be deposited with the Clerk.
60. All letters sent out on behalf of the Council require prior Council authority and should be on properly headed notepaper (*obtainable from the Clerk*).

COMMUNICATIONS

61. The Council shall produce a regular Newsletter which gives information about the Council's activities. It is not intended that it should duplicate or replace any other documentation from Local or National Government, but that it should be interesting and informative. The means of producing the Newsletter will be determined at each Annual Meeting.
62. The Council shall produce bulletins, posters, special notices etc, on an as needed basis, as the means of bringing particular issues to public notice. e.g. Updates on Flooding, the Affordable Housing Project or public meetings.
63. Formal, written communications, out with & within the Council, may be electronic when the involved parties indicate that such a medium is acceptable.

STANDING ORDERS REVIEW

64. It shall be the duty of the F&GP committee to review the Standing Orders of the Council annually and to make such recommendations to the Council as the committee considers required. The Council shall record at each January meeting the date of issue of Standing Orders it has authorised.

NOTE : To assist in this process the NALC Model Standing Orders may be used for reference and guidance.

END

Authorised :(Martin Richards, Chairman)