

SOUTH HEIGHTON PARISH COUNCIL

STANDING ORDERS

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Notes and Background

The Parish Council is committed to achieving good local governance. This means that the Parish Council wants to ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

To help the Parish Council achieve this we aim to follow the six principles of good local governance:

- 1 Focusing on the purpose of the Council and on outcomes for the community and creating and implementing a vision for the local area;
- 2 Members and officers working together to achieve a common purpose with clearly defined functions and roles;
- 3 Promoting values for the Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
- 4 Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
- 5 Developing the capacity and capability of Members and Officers to be effective;
- 6 Engaging with local people and other interested persons to ensure robust public accountability.

As a first tier of local government the Parish Council is directed and controlled by central government legislation. This document is one of a number, which together, sets out the systems and processes of how the Parish Council works within this framework and, as importantly, our culture and values on the way we work, so that we may fulfil these six principles. It also establishes the role of the Proper Officer and most of the requirements relevant to them.

These Standing Orders confirm and reflect these statutory requirements and is the main document of the Council setting out the rules of the Council for its internal organisational, administrative and some procurement procedures and the arrangements, structure and procedural matters for meetings. It is not the same as the Policies and Protocols of the Council but does refer to them.

These Standing Orders do not include financial regulations. The standing orders to regulate and control the financial affairs and accounting procedures of the Council are set out in a separate document the South Highton Parish Council Financial Regulations which was reviewed and adopted by the Council on 26th July 2015. Those regulations include most of the requirements relevant to the Responsible Financial Officer.

These Standing Orders are based on the model standing orders published in October 2013 by the National Association of Local Council's (NALC), subsequent Legal Notes and incorporate some parts of the Standing Orders adopted by the Council in 2011, which they now supersede. The latest review was undertaken at the Annual Council meeting on 31st July 2018 as part of the Council's review programme, where minor amendments were made to improve consistency between the Council's various documents.

These Standing Orders should be read in conjunction with the other adopted policies, procedures and protocols of the Parish Council in particular, as referred to above, the Council's Financial Regulations. They should also be read and operated in the context of any relevant legislation and national and local regulations and orders, in force at the time.

For convenience, the word "councillor" is used and includes a non-councillor with or without voting rights unless otherwise stated.

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Standing orders in bold type relate to statutory requirements. Where minor amendments have been made to meet the circumstances of the Parish Council these changes do not undermine, override or conflict with these requirements.

1. Rules of debate at meetings

- 1a 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.
- 1b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 1c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- 1d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- 1e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 1f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- 1g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- 1h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- 1i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- 1j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- 1k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- 1l A councillor may not move more than one amendment to an original or substantive motion.
- 1m The mover of an amendment has no right of reply at the end of debate on it.
- 1n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- 1o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.

- 1p 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 other irregularity in the proceedings of the meeting he is concerned by.
- 1q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- 1r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- 1s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- 1t Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.

2. Disorderly conduct at meetings

- 2a 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.
- 2b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- 2c If a resolution made under standing order 2(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Meetings generally

- 3a **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.**
- 3b Meetings shall normally be held in the South Heighton Village Hall commencing at 19.00 hours at a frequency and on dates to be agreed for the municipal year ahead at the Annual Council Meeting to ensure all key activities of the Council can be completed in an appropriate and timely manner.
- 3c **At least 3 clear days** notice of a meeting shall be served by the Proper Officer to councillors in the form of an email, confirming the date, time and place of the meeting, clearly specifying the business proposed to be transacted at the meeting on an agenda, provided any such email contains the electronic signature and title of the Proper Officer, or, where a councillor does not have access to email **served by the delivery, or by post, to their residences at least 3 clear days** prior to the meeting a signed summons, stating the date, time and place of the meeting, clearly specifying the business proposed to be transacted at the meeting on an agenda.
- 3d At least 3 clear days notice of a meeting shall be given by the Proper Officer to the public in the form of a Public Notice (stating the date, time and place of the meeting, clearly specifying the business proposed to be transacted at the meeting on an agenda) to be displayed in the Parish Council Notice Boards and on the Council's website.
- 3e **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.**
- 3f **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 unless the meeting is convened at shorter notice.**
- 3g **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.**

Exclusions by reason of the confidential nature of business will take effect upon the issuing of a motion by the Chairman that:

"In view of the confidential nature of the business about to be transacted, it is proposed that, in the public interest, the public and press be temporarily excluded and they be requested to withdraw from the meeting, in accordance with the Public Bodies Admissions to Meetings Act 1960 Section 1"

and the above motion being seconded and agreed by the meeting.

- 3h Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda, or, having notified the parish clerk in advance of the meeting starting and at the discretion of the chairman of the meeting, another matter that affects the parish.
- 3i The period of time designated for public participation at a meeting in accordance with standing order 3(h) above shall not exceed 15 minutes unless a resolution of the council is made to suspend this standing order when the time allowed will be directed by the chairman of the meeting.
- 3j Subject to standing order 3(g) above, a member of the public shall not speak for more than 3 minutes unless a resolution of the council is made to suspend this standing order when the time allowed will be directed by the chairman of the meeting.
- 3k In accordance with standing order 3(h) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- 3l A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- 3m A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.
- 3n A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- 3o Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- 3p **Members of the public are permitted to film and/or record meetings to which they are permitted access in a non-disruptive manner and only to the extent that it does not interfere with any person's ability to follow the debate and respects the rights (under the Data Protection Act 1998) of other people attending.**
Any person wishing to film and/or record a meeting is requested to inform the Parish Clerk in advance of the commencement of the meeting in order that the council can inform those attending the meeting that the meeting, or part of it, is being filmed and/or recorded and provide them with a copy of the requirements as to filming, recording and broadcasting at its meetings (in the Protocol set out in Appendix A to these standing orders). Those undertaking these activities will be deemed to have accepted these requirements whether they have read them or not and those attending the meeting are deemed to have consented to the filming, recording or broadcasting of the meeting. The chairman of the meeting has the authority to stop a meeting and take appropriate action if any person contravenes the Protocol or is deemed to be filming, recording or broadcasting in a disruptive manner.
Meetings, or parts of meetings from which the press and public are excluded under 3g above may not be filmed or recorded.
- 3q **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

- 3r The Chairman and Vice-Chairman of a committee, sub-committee or working group shall be elected by its members at its first meeting following the Annual Meeting of the Council and before proceeding to any other business.
- 3s **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council.**
- 3t **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.**
- 3s In the event of the Chairman or Vice-Chairman, as the case may be, arriving after the commencement of the meeting, the Vice-Chairman or other Chairman appointed pro tem shall vacate the chair and the Chairman or Vice-Chairmen, as the case may be, shall thereupon preside.
- 3t No business other than that included on the agenda of the meeting shall be discussed or voted upon.
- 3u Where genuinely urgent items are brought before the meeting and it is agreed these may be discussed, but no decisions may be voted on other than to ensure that the issue is dealt with properly at a forthcoming meeting, if necessary an extraordinary meeting, with due notice having been given.
- 3v **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**
- 3w Each Councillor has one vote (excluding those that are disqualified by having disclosed a prejudicial interest in the item or are acting as a substitute) and must vote in person. A Councillor may exercise their vote or abstain from voting.
- 3x **The chairman of a meeting 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 standing orders 5(i) and (j) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.
- 3y **Unless standing orders provide otherwise, voting on a 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.
- 3z 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. a note of the number of residents present and any organisations that may be represented;
 - iv. if there was a public participation session and the subjects raised;
 - v. if prior to a meeting, a councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded.

- vi. the signing of the minutes of the previous meeting and any matters arising;
- vii. interests that have been declared by councillors and non-councillors with voting rights and the item to which they apply;
- viii. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered and when they returned;
- ix. the reported items under the headings given in the meeting agenda with these being individually numbered in such a way as to facilitate their separate identification at a later date, the exact wording of each motion or resolution decided on by the meeting and a brief summary of the principal issues discussed and the reasons for coming to that decision;
- x. where appropriate, a summary note of issues raised under other business; and
- xi. confirmation of the date, time and location of the next meeting.

3aa A councillor or a non-councillor with voting rights 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. Councillors are required to declare such an interest at the beginning of the meeting.

3bb 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.
See standing order 4e(ix) below for the quorum of a committee or sub-committee meeting.

3cc If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

3dd A meeting shall not normally exceed a period of two and a half hours.

4. Committees and sub-committees

- 4a Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.** The council has determined that no committee may establish a sub-committee without prior approval of the full council, who will determine its terms of reference and membership by resolution on recommendations from the committee.
- 4b** The Council may appoint advisory Committees (Working Parties) comprised of a number of Councillors and non-councillors.
- 4c The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council**
- 4d Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.** The council has determined that an Advisory Committee (Working Party) and any Sub-Committee, must have at least one Councillor as a member of the Advisory Committee (Working Party) or Sub-Committee.

- 4e The council shall, 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. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall appoint and determine the terms of office of members of such a committee;
 - v. may appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 3 clear days before the meeting that they are unable to attend;
 - vi. an ordinary member of a Committee who attends, but has formally been replaced at a meeting by a substitute member 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;
 - vii. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - viii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - ix. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
 - x. shall determine if the public may participate at a meeting of a committee;
 - xi. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - xii. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xiii. may dissolve a committee at any time.

5. Ordinary council meetings

Annual Council Meetings

- 5a The Annual Council Meeting shall be held in the South Heighton Village Hall in May commencing at 19.00 hours.
- 5b **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.**
- 5c **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.**
- 5d **If no other time is fixed, the annual meeting of the council shall take place at 6pm.** (see standing order 5a above)
- 5e **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 directs.**

- 5f **The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman of the Council.**
- 5g **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.**
- 5h **The Vice-Chairman of the Council, 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.**
- 5i **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.**
- 5j **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.**

Annual Council Meeting Agenda

- 5k The business of the annual meeting shall include and be ordered as follows:
- i. **In an election year, delivery by councillors of their acceptance of office forms unless the council resolves for this to be done at a later date.**
 - ii. The election of the Chairman of the Council and Vice-Chairman of the Council
 - iii. **In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
 - iv. Confirmation of the accuracy of the minutes of the last meeting of the council;
 - v. Receipt of the minutes of the last meeting of a committee;
 - vi. Consideration of the recommendations made by a committee;
 - vii. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - viii. Review of the terms of reference for committees;
 - ix. Receipt of nominations and appointment of members to existing committees in accordance with standing order 4 above (including, if appropriate, substitute councillors);
 - x. Confirmation of the terms of reference, number of members, receipt of nominations and appointment of any new committees (including, if appropriate, substitute councillors) in accordance with standing order 4 above;
 - xi. Review the arrangements and terms of reference of the Council's Lead Member Roles, receipt of nominations for and election to them;
 - xii. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
 - xiii. Review of representation on or work with external bodies and arrangements for reporting back;
 - xiv. In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future;

- xv. Review of the council's and/or staff subscriptions to other bodies;
- xvi. Determining the dates, times and place of ordinary meetings of the full Council for the year ahead up to and including the next annual meeting of full council to ensure the full review of the Councils:
 - Standing Orders;
 - Financial Regulations;
 - Inventory of land and assets including buildings and office equipment;
 - Arrangements for insurance cover in respect of all insured risks;
 - Council's complaints procedure;
 - Procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
 - Policy for dealing with the press/media; and
 - completion of its key activities in accordance with the Council's Annual Programme set out in Appendix B.
- xvii. Agree the arrangements and agenda for the Annual Parish Meeting;
(see Appendix C.)
- xviii. Transact any ordinary business of the Council properly notified and included on the agenda;
- xix. Consider, as appropriate, any urgent items brought before the Council in compliance with standing order 3u.

Ordinary Council Meeting Agendas

- 5l Following the Annual Meeting the order of business for an ordinary meeting of the Council shall be as follows:
 - i To choose a person to preside if the Chairman and Vice Chairman are absent
 - ii To deal with any business required by statute to be done before any other business.

General Business

- iii) Public petitions and question time, including councillors questions.
- iv) To consider apologies for absence.
- v) To approve as a correct record, the minutes of the last meeting of the Council.
- vi) To consider matters arising from the minutes.
- vii) To receive declarations of interest.

Reports for Discussion and Decision

- viii) To receive and consider minutes and/or reports from the Council's Committees and Working Parties.
- ix) To receive, consider and debate previously notified reports in the order as set out in the Agenda and agree, as appropriate, proposed motions or recommendations.

Planning Applications

- x) To consider and debate comments on planning applications and agree, as appropriate, any representations the Council wishes to make to the relevant Planning Authority.

Confidential Business

- xi) To receive, consider and debate previously notified reports, which the Council considers to be of a confidential nature, in the order as set out in the Agenda and agree, as appropriate, proposed motions or recommendations.

Reports to Note

- xii) To receive any other previously notified reports on which a decision by the Council is not required.
- xiii) To receive announcements and correspondence received by the council
- xiv) Urgent items and items for the next agenda – to consider the appropriate way to deal with items that have been brought to the attention of the council following the publication of the agenda and review, as necessary, the rolling programme of standing items.

Other Business

- xv) To receive, where appropriate, councillors' update reports not covered previously.
- xv) **To receive Councillors Questions.**
- xvi) To confirm or, in exceptional circumstances, amend the date of the next or future meeting of the council in order that advance notification to councillors and the public can be made.

Annual Parish Meeting

- 5m The annual meeting of electors (the Annual Parish Meeting) shall be held at an appropriate location in South Heighton Village in May commencing at an appropriate time to be commensurate with the normal time of a meeting of the Council, unless otherwise determined by resolution of the Council.
- A Parish Meeting is not a formal council meeting, but in the case of the parish of South Heighton, is normally called and chaired by the Chairman of the Council, administrated, supported and paid for by the council. It provides the opportunity for electors to raise any issue affecting the parish directly with the council. For further information see Appendix C.

6. Extraordinary meetings of the council and committees and sub-committees

- 6a The Chairman of the Council may convene an extraordinary meeting of the council at any time.**
- 6b 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 two councillors, any two 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 two councillors.**
- 6c The chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or the sub-committee at any time.
- 6d 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 members of the committee (or the sub-committee), any two members of the committee (or sub-committee) 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

7. Previous resolutions

- 7a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least two councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- 7b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. Voting on appointments

- 8a Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

9. Motions for a meeting that require written notice to be given to the Proper Officer

- 9a A motion shall require written notice if it is to:
- i reverse by a special motion a resolution of the council within six months of the resolution being passed in accordance with standing order 7a above;
 - ii change the standing orders, financial regulations, or policies and protocols of the council, or
 - ii deal with an issue raised under the councils code of conduct, or grievance and disciplinary procedure
- and the motion must relate to the responsibilities of the meeting which it is tabled for and shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- 9b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- 9c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- 9d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 5 clear days before the meeting.
- 9e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

- 9f Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- 9g Motions received shall be recorded in a book for that purpose, which shall be open to inspection by all councillors, and numbered in the order that they are received.
- 9h Motions rejected shall be recorded in a book for that purpose, which shall be open to inspection by all councillors, with an explanation by the Proper Officer for their rejection.

10. Motions at a meeting that do not require written notice

- 10a The following motions may be moved at a meeting without written notice to the Proper Officer;
- i. to appoint a person to preside at a meeting
 - ii. to approve the absences of councillors;
 - iii. to correct an inaccuracy in the draft minutes of a meeting
 - iv. to approve the accuracy of the minutes of the previous meeting;
 - v. to dispose of business, if any, remaining from the last meeting;
 - vi. to close, adjourn a debate, or move to a vote;
 - vii. to defer consideration of a motion;
 - viii. to refer a motion to a particular committee or sub-committee;
 - ix. to refer by formal delegation a matter to a Committee, a Working Party, an employee, or councillor;
 - x. to receive nominations to a committee or working party;
 - xi. to dissolve a committee or working party;
 - xii. to consider a motion proposed in respect of an item on the agenda which relates to the responsibilities of the meeting when it is tabled and relates to the performance of the council's statutory functions, powers and obligations, or an issue which specifically affects the council's area or its residents, unless notice is required under 9a above;
 - xiii. to amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it;
 - xiv. to change the order of business on the agenda for reasons of urgency or expedience;
 - xv. to proceed to the next business on the agenda;
 - xvi. to require a written report;
 - xvii. to appoint a committee or sub-committee and their members (including substitutes);
 - xviii. to note the minutes of a meeting of a committee or sub-committee;
 - xix. to consider a report and/or recommendations made by an employee, professional advisor, expert or consultant;
 - xx. to authorise legal deeds signed by two councillors and witnessed;
 - xxi. to authorise the payment of monies up to £500.00;
 - xxii. to extend the time limits for speaking;
 - xxiii. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
 - xxiv. to not hear further from a councillor or a member of the public;
 - xxv. to exclude a councillor or member of the public for disorderly conduct;
 - xxvi. to give the consent of the council if such consent is required by standing orders;

- xxvii. to appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies;
- xxviii. to answer questions from councillors;
- xxix. to temporarily suspend, adjourn or close the meeting;
- xxx. to suspend a particular standing order (unless it reflects mandatory statutory requirements).

10b If a motion falls within the terms of reference of a committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or employee unless the Chairman of the Council directs for it to be dealt with at the present meeting of the full council for reasons of urgency or expedience.

11. Handling confidential or sensitive information

- 11a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- 11b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.
- 11c A Councillor in breach of the provisions of standing order 11b above may be removed from a Committee or a Sub-Committee by a resolution of the Council.

12. Draft minutes

- 12a 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.
- 12b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(iii) above.
- 12c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting with each individual page and amendment initialled by the chairman and stand as an accurate record of the meeting to which the minutes relate.
- 12d 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 South Heighton Parish Council 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.”
- 12e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of conduct and dispensations

See also the Code of Conduct adopted by the council.

- 13a All councillors and non-councillors with voting rights shall observe the Code of Conduct adopted by the council. Councillors, non councillors and members of staff of the council are also expected to uphold high standards of conduct and behaviour reflected in the Code of Conduct, these standing orders and other relevant adopted policies and protocols of the council, notably the Roles and Responsibilities Protocol.
- 13b All councillors shall undertake training in the Code of Conduct within 6 months of the delivery of their declaration of acceptance of office, or in accordance with an agreed training programme.
- 13c Councillors may exercise the rights contained in standing order 13d 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.
- 13d 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.
- 13e Unless granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- 13f Unless they have 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 they have another interest, if so required by the council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- 13g Short term dispensation requests (relating only to the meeting being attended) shall be made by the councillor at the appropriate time on the agenda before the meeting considers items for discussion and decision. The meeting will then decide if the interest declared would, or could be seen to have, a prejudicial impact on any decision the councillor may be called to make and their ability to make a decision in the public interest and that decision is final.
- 13h Long term **Dispensation requests** (relating to more than one meeting ie when the dispensation is likely to be needed at future meetings) **shall be in writing and submitted to the Proper Officer** as soon as possible before the first meeting, or failing that, at the start of the meeting for which the dispensation is required.
- 13i A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the council, or committee or sub-committee for which the dispensation is required] and that decision is final.

- 13j A dispensation request shall confirm:
- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- 13k Dispensations requests shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required].
- 13l A dispensation may be granted in accordance with standing order 13(i) above if having regard to all relevant circumstances the following applies:**
- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. granting the dispensation is in the interests of persons living in the council's area or**
 - iii. it is otherwise appropriate to grant a dispensation.**
- 13m If a councillor declares an interest arising from the requirements of the Code of Conduct adopted by the Council, or to ensure openness and transparency, at a meeting and the interest is deemed to be either a disclosable pecuniary interest, or a prejudicial interest by the council, committee or sub-committee this shall be recorded in the minutes along with a note of when they withdraw and return to the meeting.

14. Code of conduct complaints

See also the Code of Conduct adopted by the council

- 14a Any written allegation received by the Council that a Member or Officer has failed to comply with this Code will be dealt with by the Council as set out in the Council's adopted Code of Conduct. Dependant on the results of initial investigation the breach will be reported either through the Council's adopted Disciplinary, Grievance and Complaints Procedures, or if considered appropriate referred to the Monitoring Officer with a request that it be dealt with through the Primary Authority's (Lewes District Council's) Procedures.
- 14b Serious cases of breaches of the Code by Members are normally reported directly to the Monitoring Officer. Should a serious breach be reported to the Council concerning a Member, this should be reported to the Parish Clerk who will then inform the Monitoring Officer as soon as practicable and determine with them the appropriate course of action, which would normally be through the Primary Authority's (Lewes District Council's) Procedures.

- 14c Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the council.
- 14d Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate either another staff member, or in consultation with the Vice Chairman of the Council and the Sussex Association of Local Councils another appropriate person 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 in accordance with standing order 14(g) below.
- 14e Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- 14f The council may:
- i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- 14g Upon notification by the District Council 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 him. Such action excludes disqualification or suspension from office.**

15. Proper Officer

- 15a 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. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- 15b The Proper Officer shall:
- i. at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors a summons, by email, confirming the time, date, place and the agenda, provided any such email contains the electronic signature and title of the Proper Officer, or, where a councillor does not have access to email,
 - ii. **at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors, by delivery or post at their residences, a signed summons confirming the time, place and the agenda.**
 - iii. **give public notice of the time, date place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);**

- iv. include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;
- v. **convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- vi. facilitate inspection of the minute book by local government electors/make available for inspection the minutes of meetings;
- vii. **receive and retain copies of byelaws made by other local authorities;**
- viii. retain acceptance of office forms from councillors;
- ix. retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection;
- x. keep proper records required before and after meetings
- xi. process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
- xii. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- xiii. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- xiv. arrange for legal deeds to be signed by 2 councillors, witnessed and executed;
See also standing order 22 below.
- xv. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- xvi. record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;
- xvii. refer a planning application received by the council to the Chairman or in his absence the Vice-Chairman of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the council;
- xviii. manage access to information about the council via the publication scheme; and
- xix. Action or undertake activity or responsibilities instructed by resolution, contained in the standing orders
- xx. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.
See also standing order 22 below.

16. Responsible Financial Officer

- 16a The Responsible Financial Officer shall be the Parish Clerk.
- 16b The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. Accounts and accounting statements

- 17a "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).

- 17b All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
- 17c The Responsible Financial Officer shall supply to each councillor and report to full council as soon as practicable after 30 September in each year a statement to summarise:
- i. the council's receipts and payments for the half year,
 - ii. the balances held at the end of the half year being reported,
 - iii. a comparison with the budget for the financial year and,
 - iv. any actual or potential overspends and reports how these may be addressed.
- 17d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. a financial statement to each councillor summarising the council's receipts and payments for the year, end of year balances, a comparison with the budget for the financial year identifying overspends (if any) and reporting how any issues may be addressed before the Annual Council and
 - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval before the following month of 30 June.
- 17e 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 a 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 is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

18. Financial controls and procurement

- 18a The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
 - v. procurement policies, including the setting of values for different procedures where a contract has an estimated value of less than £1,000
- 18b The council's financial regulations standing orders shall be reviewed regularly and at least annually for fitness of purpose.
- 18c 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 or to an employee

- 18d **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £15,000 shall be procured on the basis of a formal tender as summarised in standing order 18(e).**
- 18e Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a public notice of intention to place a contract to be placed in a local newspaper;
 - ii. a specification for the goods, materials, services or the execution of works shall be drawn up
 - iii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iv. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - v. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - vi. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vii. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- 18f Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- 18g **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the council must comply with EU procurement rules**
- 18h The Council shall approve written estimates for the coming financial year at its November meeting
- 18i Any Project desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year for the September full Council as part of the preparation of the Council's Draft Budget for public consultation prior to its final approval.

19. Handling staff matters

- 19a A matter personal to a member of staff that is being considered by a meeting of the Council or Personnel Committee is subject to standing order 11 above.
- 19b If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council or Personnel Committee has decided whether or not the press and public shall be excluded.

- 19c Subject to the Council's policy regarding absences from work, the Council's Clerk shall notify the Chairman of the Council or, if he is not available, the Vice-Chairman of absence occasioned by illness or other reason and the Clerk shall report such absence to the Council at its next meeting.
- 19d The Chairman of the Council or, in his absence, the Vice-Chairman shall upon a resolution of the full Council conduct an appraisal and performance review of the Parish Clerk, in accordance with the agreed procedure as set out in the Staff Management and Supervision Protocol at least annually and shall keep a written record of it, which will be held on the Parish Clerk's Personnel File. The appraisal shall be reported back, with appropriate recommendations and shall be subject to approval by resolution of the full Council.
- 19e In respect of an informal grievance matter raised by an employee, the Parish Clerk shall inform the Chairman of the Council of the issue and how it was resolved or, in their absence, the Vice-Chairman. If the Parish Clerk does not wish to raise an informal grievance matter with the Chairman of the Council (for example because it concerns the Chairman) then they should contact the Chairman of the Personnel Committee or, in their absence, the Vice Chairman of the Council.
- 19f In respect of a formal grievance matter, the employee or Parish Clerk shall contact the Chairman of the Personnel Committee and this matter shall be reported back and progressed in compliance with the Council's adopted Grievance Policy/Procedure.
- 19g Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Parish Clerk relates to the Chairman or Vice-Chairman of the Council, or the Chairman of the Personnel Committee, this shall be communicated to another member of the full Council as appropriate and it shall be reported back by that person and progressed in compliance with the Council's adopted Grievance Policy/Procedure.
- 19h Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- 19i The Council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- 19j Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(e) to (g) above if so justified.
- 19k 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.
- 19l Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19(f) and (g) above shall be provided only to the Chairman and Vice-Chairman of the Personnel Committee or in exceptional circumstances to another Councillor nominated by the full Council.

20. Requests for information

- 20a Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- 20b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the council. The council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests.

21. Relations with the press/media

- 21a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.
- 21b In accordance with the Council's policy in respect to dealing with the press and/or other media, Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media on behalf of the Council unless agreed by the Council.

22. Execution and sealing of legal deeds

- 22a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- 22b Subject to standing order 22(a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.**

23. Communicating with District and County councillors

- 23a 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.
- 23b Unless the council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the District and County Council ward councillor(s) representing the area of the council.

24. Restrictions on councillor activities

- a. Unless authorised by a resolution, no councillor shall, in the name or on behalf of the council, a committee or 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.

25. Standing orders generally

- 25a 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.
- 25b A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least two councillors to be given to the Proper Officer.
- 25c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- 25d The decision of the chairman of a meeting, in consultation with the Proper Officer, as to the application of standing orders at the meeting shall be final.
- 25e A councillor's failure to observe standing orders more than three times in one meeting may result in them being excluded from the meeting.

26. Questions

- 26a A Councillor may seek an answer to a specific question concerning any business of the Council at a council meeting provided 4 clear days notice of the question has been given in writing to the Proper Officer prior to the meeting.
- 26b 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.
- 26c Every question shall be put and answered without discussion.

27. Inspection of documents

27a 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 and responsibilities as a member of the Council (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

28. Canvassing of and recommendations by councillors

28a Canvassing Councillors or the members of a Committee or Sub-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.

28b A Councillor or a member of a Committee or Sub-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.

28c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

29. Power of well-being

29a Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible Parish Council.

29b The Council's period of eligibility begins on the date that the resolution under standing order 29 a) above was made and expires on the day before the Annual Meeting of the Council that takes place in a year of ordinary elections.

29c After the expiry of its preceding period of eligibility, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 29 b) above

Protocol for the Recording of Council Meetings

1. Introduction

South Heighton Parish Council is committed to being open and transparent in the way decisions are made.

Recording of meetings is welcomed but restrictions do apply to protect confidential information and those individuals who do not wish to be recorded.

The right to record, film and to broadcast meetings of the Council, committees and sub-committees was established following the Local Government Audit and Accountability Act 2014. This is in addition to the rights of the press and public to attend such meetings. Meetings, or parts of meetings from which the press and public are excluded may not be filmed or recorded.

Members of the public are permitted to film or record meetings to which they are permitted access in a non-disruptive manner. The use of digital and social media recording tools, for example Twitter, blogging or audio recording is allowed as long as it is carried out in a non-disruptive way and only to the extent that it does not interfere with any person's ability to follow the debate.

While those attending meetings are deemed to have consented to the filming, recording or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act 2018. The Chairman of the meeting has the authority to stop a meeting and take appropriate action if any person contravenes these principles or is deemed to be recording in a disruptive manner.

Any person or organisation choosing to film, record or broadcast any meeting of the Council, committee or sub-committee is responsible for any claims or other liability from them so doing.

The Council asks those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being filmed or recorded.

As well as displaying these requirements as to filming, recording and broadcasting at meetings being recorded on the Council's website the Council will also display these at the meeting itself and those undertaking these activities will be deemed to have accepted them whether they have read them or not.

The Council may itself photograph, film, record or broadcast meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies.

2. Guidance for recording

The following guidelines are to help those who wish to record meetings and should be observed to ensure that meetings are not disrupted.

- We would ask that where members of the public plan to record a meeting, they inform the Council in advance so the Council can make preparations for the recording to take place.
- The recording of any person under the age of 18, or a vulnerable adult, is not permitted unless an adult responsible for them has given permission.
- Recording of members of the public is not permitted unless they are making representation to the Council/Committee and have given their permission.
- When recording, you should sit in the reserved area at the front of the public gallery.
- At no time in the meeting should you cause a disruption as a result of recording the proceedings i.e. moving around, changing seats etc.
- You should make every effort to ensure that members of the public are not filmed but it is accepted that audio recording is inevitable during any public participation.
- Meetings or parts of meetings from which the press and public are excluded may not be filmed or recorded.
- If asked to stop recording by the Chairman of the meeting, as a result of breaching any of the above requests, you should do so immediately or you may be asked to leave the meeting.
- The Council asks those recording the meeting not to edit the film or recording in a way that could lead to misinterpretation of the proceedings or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule or show lack of respect towards those being filmed or recorded.

Rolling Programme of Meetings and Standing Items

Annual Parish Council Meeting – (statutory annual meeting)

- Election of Chair & Vice Chair of Council.
- In an election year delivery of Declarations of Acceptance.
- Review of Committees and their Terms of Reference.
- Nomination and election of Councillors to Committees.
- Review and agree allocation of Councillor Roles and Responsibilities for forthcoming year.
- May** • Review and agree Councillor Representation on external bodies and methods of reporting back to Council.
- Review and agree Council Meetings Programme with dates, times and locations of ordinary meetings of the full Council for the coming year.
- Review Standing Orders.
- Agree the Parish Meeting agenda in light of response to Newsletter consultation.
- Consider elements of Chair’s Annual Report.

Annual Parish Meeting

- Delivery of Chairs Annual Report.
- Introduction of Councillors, structure of Council and Councillor Roles.
- May** • Presentation by Parish Clerk as RFO of financial position of Council.
- Use meeting to start consultation process to help set Council’s priorities for the year ahead.
- Use meeting to present Draft Parish Plan and receive comments.

Parish Council meeting

- Financial Regulations Review.
- Annual Accounts Return.
- Review Standing Orders.
- June** • Annual Parish Plan Review and Consultation (agree process and matters on which to consult Parish in light of Annual Parish Meeting for annual review of Parish Plan).
- Report Back and Review Licence for DaSHJFC (to report back on outcome of previous seasons use of the recreation ground and consider the terms of the licence agreement for the forthcoming season).
- Review and Update members Packs where necessary.

Parish Council meeting

- July** • Consider Application for Licence by DaSHJFC.
- Consider Application for SHVHMC Bonfire Event.

August No Parish Council Meeting

Parish Council meeting

- Consider and Approve Arrangements for Annual Staff Appraisal.
- Sept** • Membership Review (annual review of the Council’s and Clerk’s membership of outside bodies and organisations and related subscriptions etc. to inform the budget process).
- Consider draft items for Autumn/Winter Newsletter.
- Review the Information Provision Protocol.

Parish Council meeting

- Oct** • Half Year Budget Review.
- Report Back on Annual Staff Review.
- Approve Autumn/Winter Newsletter for publication.

Parish Council meeting

Nov

- Report Revised Draft Parish Plan for agreement for publication and consultation.
- Training Programme Review (annual review of the staff and Councillor's training requirements to inform budget process and agree training programme for coming year).
- Finalise Budget and Precept (consider consultations and estimates on draft budget and projects and agree final items/projects for inclusion in budget for next financial year).
- Report Back on inspection following annual Bonfire Event (to agree deposit return and inform the annual review of Licence).

December No Parish Council Meeting

Parish Council meeting

Jan

- Agree final Budget and Precept for next financial year.
- Review Inventory and Asset Register.
- Review Protocol and Procedures for The Hollow, including Key Register (annual review of protocol and procedure).

Parish Council meeting

Feb

- Consider draft items for Spring/Summer Newsletter.
- Publication and Promotion Review (annual review of the Council's methods of communication including notice boards, website, newsletter etc. to identify opportunities for improvements).
- Media Contact Review (annual presentation by Proper Officer of Council's policy for dealing with the press/media).
- Complaints Procedure Review (annual presentation by Proper Officer of Council's complaints procedure).

Parish Council meeting

March

- Report results of initial consultations on Draft Parish Plan and proposed revisions in light of these.
- Agree final Inventory and Asset Review.
- Information Provision Review (annual presentation by the Proper Officer of Council's procedures for handling requests made under the Freedom of Information Act 2000 and Data Protection Act 1998; statutory requirement for).
- Finalise Arrangements for Parish Meeting (to include notice of Parish Meeting and request items for discussion/agenda from parishioners).
- Approve Spring/Summer Newsletter for publication.

Parish Council meeting

April

- Report final Draft Parish Plan for agreement for publication and arrangements for consultation with residents and other stake holders.
- End of year Financial Report.
- Chairman's Annual Report to be presented at Parish Meeting.
- Insurance Review.
- Report Back and Review Licence for SHVHMC Bonfire Event (to report back on outcome of previous event and consider the terms of the licence agreement for the forthcoming event).

Parish Meetings

This appendix is based on Legal Topic Note 6 issued by the National Association of Local Councils (NALC) published in 2009.

Introduction

1. A Parish Meeting is not a Parish Council meeting but is held for the benefit of the local registered electors of a parish to enable them to discuss parish affairs. It provides an opportunity for members of the parish to raise issues of concern and engage with the Parish Council and for local residents to express their views in an open forum.

Convening a meeting

2. A Parish Meeting may be convened by any of the following:
 - i) the Chairman of the Parish Council;
 - ii) any two Parish Councillors for the parish;
 - iii) any six registered local electors of the parish.
3. Public notice of the meeting must be given at least 7 clear days beforehand (subject to paragraph 6 below). The notice must:
 - i) specify the time and place of the intended meeting;
 - ii) specify the business to be transacted at the meeting; and
 - iii) be signed by the person or persons convening the meeting.
4. Notice of the meeting is to be given by:
 - i) posting a notice of the meeting in some conspicuous place or places in the parish (in the case of South Highton by posting on the Parish Notice Boards), and
 - ii) in such other manner, if any, as appears to the person or persons convening the meeting to be desirable for giving publicity to the meeting (in the case of South Highton when called by the Chairman or Parish Councillors this will include notice on the Parish Council website).
5. Where the meeting is convened to discuss the specific issues set out below, public notice of it must be given of it at least 14 clear days beforehand. The specific issues are as follows:
 - i) the establishment or dissolution of a parish council, or
 - ii) the grouping of the parish with another parish or parishes under a common parish council.

Times and Number of Meetings

6. The parish must meet at a Parish Meeting on a day between 1st March and 1st June inclusive, in every year. In South Highton this Annual Parish Meeting is organised and supported by the Parish Council and is historically formally called by the Chairman of the Parish Council. Other Parish Meetings may be held on such days and at such times as may be fixed by the Parish Council or convened as set out in 2 above and publicised in compliance with 3, 4 and/or 5 above.
7. The proceedings at a parish meeting can not commence earlier than 6 o'clock in the evening and may not be held in premises which are used for the supply of alcohol unless no other room is available free or at a reasonable cost. The Annual South Highton Parish Meeting has historically been held at the normal time of the Parish Council Meetings at 7pm and in the same venue, the South Highton Village Hall.

Attendance of the Chairman of the Parish Council

8. The Chairman of a Parish Council is entitled to attend a Parish Meeting for that parish whether or not he is a registered local elector for the parish, but if they are not an elector for the parish they are not entitled to vote at the meeting other than using any casting vote which they may have (see paragraph 11 below).

Presiding at the Meeting

9. The Chairman of the Parish Council, if present, must preside at a Parish Meeting and if he is absent the Vice-Chairman (if any) must, if present, preside.
10. If the Chairman and the Vice-Chairman of the Parish Council are absent from the Parish Meeting, the Parish Meeting should, as its first order of business, appoint a person to take the chair, and that person shall have, for the purposes of that meeting, the powers and authority of the Chairman.

Attendance, Voting and Polls

11. Only registered local electors for the parish are qualified to attend a Parish Meeting or to vote in a Poll. Each elector can give one vote on any question or motion and no more. A question or motion to be decided by a Parish Meeting must, in the first instance, be decided by the majority of those present at the meeting and eligible to vote, and the decision of the person presiding the meeting as to the result of the voting shall be final unless a Poll is demanded. In the case of an equality of votes, the person presiding at the meeting shall have a casting vote, in addition to any other vote he may have.
12. A Poll may be demanded before the conclusion of a Parish Meeting on any question or motion arising at the meeting; but no Poll shall be taken unless either the person presiding at the meeting consents or the Poll is demanded by not less than ten, or one-third of the local registered electors present at the meeting, whichever is the fewer.
13. A Poll duly requested at a Parish Meeting shall be a Poll of all those entitled to attend the meeting as local registered electors, and shall be taken by ballot in accordance with the Parish and Community Meetings (Polls) Rules 1987 as amended. The rules provide that if a Poll is demanded, the Chairman of the Parish Meeting must notify the District Council in which the parish is situated and the District Council shall appoint an officer to be a Returning Officer. Essentially, the procedure is similar to that of electing a local Councillor.

Expenses of Parish Meetings and Polls

14. The expenses of the Parish Meeting and of a Poll are paid for by the Parish Council under Section 150 of the Local Government Act 1972. The cost of holding a Poll can be very expensive and should not be entered into lightly as there are often alternative ways of obtaining local residents views on a particular issue.

Parish Meeting Resolutions

15. A resolution made at a Parish Meeting's resolutions is not binding on the Parish Council except in exceptional circumstances (e.g. a resolution for a Parish Council to provide allotment gardens will trigger a Parish Council's duty under section 23 Small Holdings and Allotments Act 1908 to consider if their provision of allotment gardens is sufficient to meet demand). Unless one of these exceptions applies, the Parish Meeting's resolutions are persuasive only and the Parish Council must decide independently if it wishes to pursue them further.