

Greenham Parish Council Standing Orders

Meetings

1. (a) Meetings of the Council shall be held at the St Mary's Church Centre, New Road, Greenham at 1930hrs unless the Council decides otherwise at a previous meeting.

(b) Smoking is not permitted at any meeting of the Council.

2. The Statutory Annual Meeting

(a) in an election year shall be held on the Wednesday next following the fourth day or the ordinary day of elections to the Council and

(b) in a year which is not an election year shall be held at a date to be deemed by the Council.

3. The three other statutory meetings shall be held in the months of June, September and January.

4. The Chairman of the Council may call an extraordinary meeting at any time. Otherwise, additional meetings may be held on the resolution of the Council.

5. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior consent.

Chairman of Meeting

6. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.

Proper Officer

7. Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he shall be the clerk:-

a) To receive declarations of acceptance of office.

b) To receive and record notices of pecuniary interests.

c) To receive and retain plans and documents.

d) To sign notices or other documents on behalf of the Council.

e) To receive copies of byelaws made by a District Council.

f) To certify copies of byelaws made by the Council.

g) To sign summonses to attend meetings of the Council.

In any other case the proper offices shall be the person nominated by the Council and, in default of nomination, the Clerk.

Quorum

8. One third of members shall constitute a Quorum, fractions to be rounded up to the next whole number.

9. If a quorum is not present when the Council meets and if during a meeting the number of councillors present and not debarred by reason of a declared prejudicial interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on any such day as the Chairman may fix.

Voting

10. The members shall vote by show of hands, or, if at least two members so request, by signed ballot. Unless the Council decides otherwise, votes shall be decided by a simple majority.

11. If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.

12. Subject to a and b below, the Chairman may give an original vote on any matter put to the vote, and in the case of equality of votes may give the casting vote even though he gave an original vote.

a. If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their tenure of office he may not give an original vote in an election for Chairman.

b. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

Order of Business

13. a. In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.

b. In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.

c. If no other time is fixed, the annual meeting of the Council shall take place at 7.30 pm.

d. 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.

e. The election of the Chairman and Vice-Chairman (if any) of the Council shall be the first business completed at the annual meeting of the Council.

f. 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.

g. The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.

h. 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.

i. 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.

j. Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows.

- (i) In an election year, delivery by councillors of their declarations of acceptance of office.
- (ii) Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
- (iii) Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
- (iv) Review of the terms of references for committees.
- (v) Receipt of nominations to existing committees.
- (vi) Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
- (vii) Review and adoption of appropriate standing orders and financial regulations.
- (viii) Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
- (ix) Establishing or reviewing the Council's complaints procedure.

14. In every year not later than the meeting at which the estimates for next year are settled the Council shall review the pay and conditions of service of existing employees.

15. After the first business has been completed, the order of business, unless the Council decides otherwise on the ground of urgency, shall be as follows:

(a) To read and consider the Minutes: provided that a copy has been circulated to each member not later than the issue of the summons to attend the meeting the Minutes may be taken as read.

(b) After consideration, to approve the signature of the Minutes by the person presiding as a correct record.

(c) To deal with business expressly required by statute to be done.

- (d) To dispose of business, if any, remaining from the last meeting.
- (e) To receive such communications as the person presiding may wish to lay before the Council.
- (f) To receive and consider reports and minutes of committees.
- (g) To receive and consider reports from officers of the Council.
- (h) To authorise the signing of orders for payments.
- (i) Any other business specified in the summons.

16. A motion to vary the order of business on the grounds of urgency:

- (a) may be proposed by the Chairman or by any member and if proposed by the Chairman, may be put to the vote without being seconded, and
- (b) shall be put to the vote without discussion.

Resolutions moved on Notice

17. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and delivered the notice to the Clerk at least three clear days before the next meeting of the Council.

18. The Clerk shall date every notice of resolution or recommendation when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.

19. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.

20. If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

21. If the subject matter of a resolution comes within the province of a committee of the Council it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

22. Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

Resolutions moved without Notice

23. Resolutions dealing with the following matters may be moved without notice:-

- (a) To appoint a Chairman of the meeting
- (b) To correct the Minutes
- (c) To approve the Minutes
- (d) To alter the order of business
- (e) To proceed to the next business
- (f) To close or adjourn the debate
- (g) To refer the matter to a committee
- (h) To appoint a committee or any members thereof
- (i) To adopt a report
- (j) To amend a resolution
- (k) To authorise the sealing of documents
- (l) To give leave to withdraw a resolution or amendment
- (m) To extend the time limit for speeches
- (n) To exclude the public
- (o) To silence or eject from the meeting a member named for misconduct
- (p) To give the consent of the Council where such consent is required by these Standing Orders
- (q) To suspend any Standing Order
- (r) To adjourn the meeting.

Questions

24. A member may ask the Chairman or the Clerk any question concerning the business of the Council provided notice of the question has been given to the person to whom it is addressed before the meeting begins.

25. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for Questions.

26. Every question shall be put and answered without discussion

27. A person to whom a question has been put may decline to answer.

Rules of Debate

28. No discussion shall take place upon the Minutes except upon their accuracy. Correction to the Minutes shall be made by resolution and must be initialled by the Chairman.

29. (a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.

(b) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.

(c) No speech by the mover of a resolution shall exceed FIVE minutes and no other speech shall exceed FIVE minutes except by consent of the Council.

(d) An amendment shall be either:

- (i) to leave out words
- (ii) to leave out words and insert or add others
- (iii) to insert or add words.

(e) An amendment shall not have the effect of negating the resolution before the Council.

(f) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.

(g) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

(h) The mover of a resolution or of an amendment shall have a right of reply not exceeding FIVE minutes.

(i) A member, other than the mover of a resolution, shall not, without leave of the Council speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.

(j) A member may make a point of order or a personal explanation. A member shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.

(k) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

(l) When a resolution is under debate no other resolution shall be moved except the following:-

- (i) To amend the resolution.
- (ii) To proceed to the next business.
- (iii) To adjourn the debate.
- (iv) That the question be put now.
- (v) That a member named be not further heard.
- (vi) That a member named do leave the meeting.
- (vii) That the resolution be referred to a committee.
- (viii) To exclude the public and press.
- (ix) To adjourn the meeting.

30. The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

MEMBERS SHALL ADDRESS THE CHAIRMAN.

- (a) If two or more members indicate a desire to speak the Chairman shall call upon one.
- (b) Whenever the Chairman "rises" during a debate all other members shall be seated and silent.

Closure

31. At the end of any speech a member may, without comment, move "that the question now be put", "that the debate now be adjourned" or "that the Council do now adjourn". If such a motion is seconded the Chairman shall put the motion but, in the case of a motion to put the question, only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

Disorderly Conduct

32. (a) All members shall observe the Code of Conduct which is in force at the time, having been properly adopted by the Council.

(b) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

(c) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (a) of this Order, the Chairman shall express the opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. **If a member believes another member is in breach of the Code of Conduct, that member is under a duty to report the breach to the Standards Board.**

(d) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

Right of Reply

33. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

Alteration of Resolution

34. A member may, with the consent of his seconder, move amendments to his own resolution.

Reversal of previous Resolutions

35. (a) A decision (whether affirmative or negative) of the Council shall not be reversed unless sufficient additional information has been placed before the Council within six months except either by a special resolution, the written notice whereof bears the names of at least FOUR members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.

(b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

Voting on Appointments

36. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the names of the person having least number of votes shall be struck off the list and a fresh vote taken and so on until a majority of votes is given in favour of one person.

Discussions and Resolutions affecting Employees of the Council

37. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or condition 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. (See Standing Order No 65.)

Resolutions on Expenditure

38. Any resolution which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon which any service which is under the management of or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council and any committee affected by it shall consider whether it desires to report thereon.

Expenditure

39. Orders for payment of money shall be authorised by resolution of the Council and signed by two members.

Sealing of Documents

40. (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

(b) Any two members of the Council may seal, on behalf of the Council, any document required by law to be issued under seal.

Committees and Sub-Committees

41. The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:

(a) shall not appoint any member of a committee so as to hold office later than the Annual Meeting. and

(b) may subject to the provisions of Order 35 above at any time dissolve or alter the membership of a committee.

42. The Chairman and Vice-Chairman ex-officio shall be members of every committee.

43. Every committee shall at its first meeting before proceeding to any other business elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.

44. The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

45. Every committee may appoint sub-committees for purposes to be specified by the committee.

46. The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

47. Except where ordered by the Council in the case of a committee, or by the Councillor by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members.

48. The Standing Order on rules of debate (except those parts relating to speaking more than once) and the Standing Order on interests of the members in contracts and other matters shall apply to committee and sub-committee meetings.

Advisory Working Groups

49. (1) There may be advisory Working Groups whose name, and number of members, shall be recorded in the Minutes on formation as follows:

Name

Number of Members

(2) The Clerk shall inform the members of each advisory Working Group of the terms of reference..

(3) An advisory Working Group may consist wholly of persons who are not members of the Council.

(4) An advisory Working Group may make recommendations and give notice thereof to the Council.

Vote in Committees

50. Members of committees and sub-committees shall vote by a show of hands or, if at least two members so request, by signed ballot.

51. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

Presence of Non-Members of Committees at Committee Meetings

52. A member who has proposed a resolution which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

Accounts and Financial Statement

53. (a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.

(b) Where it is necessary to make a payment before it has been authorised by the Council, such payments shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the Chairman or Vice-Chairman of the Council.

(c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.

54. The Clerk shall supply to each member at the ordinary meeting next after the end of the Financial Year a statement of receipts and payments.

Estimates

55. The Council shall approve estimates for the coming financial year at its meeting in the month of January.

Interests

56. (a) Interests may be personal or prejudicial as defined by the Local Government and Public Involvement in Health Act 2007 ('the Act'). Although the Clerk, Chairman or others may give advice **it is an individual member's sole responsibility to decide if he has an interest and if so whether it is personal or prejudicial.**

(b) Greenham Parish Council has adopted paragraph 12 (2) of the revised Code of Conduct.

57. If any member has any prejudicial interest, within the meaning of the Act in any contract, proposed contract or other matter, he may in accordance with Paragraph 12(2) make representations to the meeting, present a case and answer questions. He shall however while the matter is under consideration by the Council and while a vote is being taken, withdraw from the meeting. The Clerk shall record in the Minutes all declarations of personal and prejudicial interests.

58. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council. he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such an appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or the appropriate committee any such disclosure. Where relationship to a member is disclosed Standing Order 58 shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.

59. The Clerk may be required to compile and hold a Register of Members' Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

Canvassing of and Recommendations by Members:

60. (a) Canvassing of members of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of the sub-paragraph of the Standing Order to every candidate.

(b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or promotion; but, nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

61. Standing Orders Nos 59 and 60 shall apply to tenders as if the person making the tender were a candidate for appointment.

Inspection of Documents

62. A member may for the purpose of his duty as such (but not otherwise) inspect any document in the possession of the Councillor a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

63. All minutes kept by the Council and by any committee shall be open for the inspection of any member or the Council.

Unauthorised Activities

64. No member of the Council of any committee or sub-committee shall in the name of the Councillor on behalf of the Council

(a) inspect any lands or premises which the Council has a right or duty to inspect; or (b) issue orders or any written communications unless authorised to do so by the Council and the relevant committee or sub-committee.

Admission or the Public and Press to Meetings

65. The public shall be admitted to all meetings of the Council and its committees and sub-committees which may however, temporarily exclude the public by means of the following resolution. viz:

"That in view of the (special) (confidential) nature of the business about to be transacted it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw".

66. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

67. If any member of the public interrupts the proceedings at any meeting, the chairman may, after warning, order that he be removed from the Council's meeting room.

Confidential Business

68. (a) No member of the Councillor of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.

(b) Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

Standing Order on Contracts

69. (a) Where it is intended to enter into a contract exceeding £1,000 but not exceeding £10,000 in value for the supply of goods or materials or for the execution of works, the Clerk shall give at least three weeks public notice of such intention in the same manner as public meetings of the Council is given.

Where the value of the intended contract exceeds £ 10,000, similar notice shall be given in addition to all firms included in the appropriate standing approved list of contractors maintained by the local Council, or if no such list maintained then in such newspapers circulating in the district as the Council shall direct.

(b) Notice of a contract exceeding £10,000 shall state the general nature of the intended contract and state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.

(c) Tenders shall be opened by the Clerk or other person to whom tenders are required to be addressed on that date specified pursuant to paragraph (b) of the Order and shall be reported by the person who opened them to the Council, or, where the tenders have been sought by a committee or sub-committee to that committee or sub-committee.

(d) Neither the Council nor any committee or sub-committee is bound to accept the lowest tender.

(e) If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.

(f) A notice issued under this Standing Order shall contain a statement of the effect of Standing Orders Nos 59, 60, 61.

Code of Conduct on Complaints

70. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended in Circular 2/86 issued by the National Association of Local Councils.

Variation, Revocation and Suspension of Standing Orders

71. Any or every part of the Standing Orders **except those printed in bold type** may be suspended by resolution in relation to any specific item of business.

72. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

Standing Order to be given to Members

73. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office.

A J Forward
Chairman
April 2010